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Official Report of Debates (Hansard)

Monday 10 December 1990

Journal des débats (Hansard)

Le lundi 10 décembre 1990

Speaker
Honourable David Warner

Clerk
Claude L. DesRosiers

Président
L'honorable David Warner

Greffier
Claude L. DesRosiers



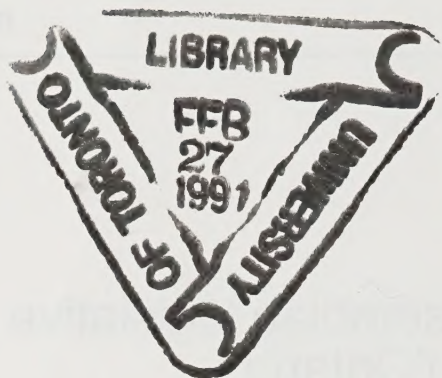


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LEGISLATIVE ASSEMBLY OF ONTARIO

Monday 10 December 1990

The House met at 1330.

Prayers.

MEMBERS' STATEMENTS

DEMOCRACY

Mr Henderson: I have made no secret of my view that real reform of governmental process is decades, if not a century, overdue in Canada. Happily, members of this Legislature have generally been responsive to that view, but too little has been done.

The form democracy has come to take in Canada is not necessarily the one best suited to our needs. The will of Canadians can be overturned too easily in our present structure by a majority government.

Many different models of democracy are alive and well and flourishing somewhere on the globe. Wisely, many emerging nations canvass the global options before deciding what model of government best suits their needs.

Canada simply inherited the British parliamentary model, then stiffened the rigidity of party solidarity and caucus unanimity when a succession of leaders objected to the freedom of some caucus members.

Later today I will introduce a bill which would establish a committee to recommend ways of electing our premiers in a direct ballot at election time, separately from the election of MPPs.

Electors in Canada should not have to choose between the party, the local candidate and the leader. Governments, perhaps with cabinets which may include elected members of any party with elected members, should be more accountable to the people and to their elected representatives. To be sure, the situation could arise of a Premier of one party and a majority of elected members of a different party; however, other jurisdictions have shown that to be a workable situation and so can we.

This bill would help advance an overdue process of meaningful reform.

ABANDONED RAIL LINES

Mrs Witmer: I am pleased to rise today to direct the government's attention to the issue of preserving abandoned railroad rights of way as multipurpose recreational trails for use by the residents of this province.

At a workshop held at the University of Waterloo on 30 November—the workshop was entitled Protecting and Managing Abandoned Railroad Rights of Way for Conservation and Recreation for the People of Ontario—those in attendance unanimously called upon the government of Ontario to take action immediately to develop a provincial trails policy and program, to provide funding for the purchase of all existing and future abandoned railroad rights of way and, finally, to establish a provincial trails co-ordinating agency.

At a time when everyone in this province is concerned about our environment and the need to protect our

heritage, I would urge the government to take action on these recommendations at the earliest possible time. If these greenway corridors are lost now, they will be lost to us and future generations for ever. There are many abandoned railroad rights of way that are currently available for conversion to recreational trails. They would be used by hikers, birdwatchers, naturalists, skiers.

I fully support the Ontario Trails Council's efforts to obtain provincial support for utilizing these unused tracts of land for recreation purposes. What better thing can we leave our children?

WILLIAM STEWART

Mrs Mathysen: I regretfully rise to inform the House of the death on Saturday 8 December of Bill Stewart. Mr Stewart was the MPP for Middlesex North for 18 years, 14 of those years as the Minister of Agriculture and Food before he retired in 1975.

Mr Stewart was born in Denfield, Ontario. Not only was he a working farmer, but he was a man who had dedicated himself to working for Ontario's farmers. His contributions were many; he was the founding director of the Middlesex Federation of Agriculture, he introduced the Milk Act in 1965 and was very active in the building of the Lake Huron to London water pipeline.

In 1978 Mr Stewart was made an honorary doctor of laws at the University of Western Ontario and was appointed as the chancellor of the University of Guelph in 1983. In 1989 Mr Stewart was inducted into the Canadian Agricultural Hall of Fame, and rightly so. He was a true friend to the farmers of Ontario.

ABORTION

Mr Daigeler: The 28 November statement on abortion by the Minister of Health was an ominous sign of the NDP's dogmatic intransigence. It was a scary portent, in my view, of what is in store over the next four years for people who disagree with the government's philosophical orientation.

Knowing full well how divided Ontarians are on this issue, the minister adopted the most strident yet mostly obsolete pro-abortion rhetoric in her comments. This unwarranted act was another slap in the face to everyone who regards this matter as an issue of the highest moral order, including members of her own caucus.

Even her own pro-choice supporters were surprised that for the first time in Canadian parliamentary history a Minister of Health labelled abortion as a woman's right to control her own body. As is well known, such euphemistic rhetoric totally ignores the rights of the unborn life.

The NDP's true confrontational colours showed in the minister's remarks. She not only announced initiatives that offend many people's deeply held beliefs; she also took pains to put them down in the process.

I was not surprised to see the minister move on the NDP's long-held policy on free access to abortions. I was

shocked, however, to note her total disregard for other views on this issue.

RENT REGULATION

Mr Turnbull: In a recent speech to a New Democratic Party provincial council, the Premier blamed federal government policies for making "it harder for people to invest here, and for causing hundreds of jobs lost and dozens and dozens of plants closed." His own government has implemented and is committed to policies which discourage investment and destroy jobs.

Bill 4 has had an immediate negative effect on jobs in Ontario. Triple R Roofing Ltd laid off all of its employees on 30 November 1990. Day Restorations laid off one half of its staff on 28 November 1990. Regal Aluminum laid off 108 of its 200 employees. Armstrong Baum Plumbing and Heating may have to lay off 30% of its workforce. Why? In the words of that owner, this has nothing to do with the recession. This is legislation. The work needs to be done but, if the owner cannot recover his costs, he cannot continue the work.

These are some of the hundreds of jobs lost in Ontario as a result of the government's legislation. The Premier cannot suck and blow at the same time. He should stop blaming others and clean up his own house first.

1340

WASTE MANAGEMENT

Mr Mills: Every week the average person in this country produces 19 pounds of garbage, and this has created a garbage disposal crisis in almost all of our communities. I am proud to say that the people of Durham East are fighting back and waging a war on waste.

For example, local residents Pat Lycett and Kristin McCrea formed the Durham garbage reduction program. They convinced 77% of the people in a six-mile rural area of Durham to save their garbage for four weeks. The residents were shown how to compost, reduce, reuse and recycle. The results have been spectacular. The amount was cut from 19 pounds of garbage per person per week to approximately one and a half pounds. By educating people on shopping smart, buying products with low-waste packaging and purchasing articles that can be reused, real reduction in waste management was achieved.

Other organizations making important contributions on environmental issues include Newcastle Environment Committee, Clarke Constituents Committee, the Zero Garbage Group, the Durham Recycling Group, the GOOD committee, Save the Ganaraska Again Group, Port Granby/Newcastle Environment Committee, STORM and the Port Darlington Community Association.

I ask my fellow members to give these groups and others dedicated to this cause across Ontario a round of applause.

EMPLOYMENT ADJUSTMENT

Mr Offer: This province and country is in the midst of a recession. Many thousands of jobs are being lost every day. Over 11,000 jobs have been lost since October. In Mississauga we are not immune. Jobs across the city and

throughout the region of Peel are being lost through reduced operations, partial closures and complete closures.

The question remains, what is the Ontario government doing to assist displaced workers? Promises have been made, but without any specifics, in the NDP's Agenda for People and throne speech. The economic statement recently released by the Treasurer provides no strategy for digging Ontario out of the recession. There is nothing in the Treasurer's statement to encourage investors to create jobs in Ontario.

The previous Liberal government broadened the scope of statutory severance pay, instituted new information requirements in mass termination cases, increased individual notice requirements, established the Transitions program, implemented with the federal government the program for older worker adjustment in Ontario and increased funding for short-term skills training for employed workers under Ontario's Training Strategy.

The laid-off workers in Mississauga, Peel and throughout Ontario need a continuation of the policies initiated by the previous Liberal government and not an accumulation of promises by the NDP government. The recession is now. Action today.

NORTHERN HEALTH TRAVEL GRANTS

Mr Eves: I rise today to talk about northern health travel grants and their status in the riding of Parry Sound, being the districts of Parry Sound and Nipissing.

On 9 June 1988 the then Minister of Northern Development and the then Premier announced that as of 1 April 1989 the districts of Parry Sound and Nipissing in their entirety would become eligible for all northern Ontario programs by any ministry, agency, board or commission of the provincial government. As of today the Ministry of Health still does not recognize the residents in the district of Parry Sound and all the residents in the district of Nipissing as qualifying for northern health travel grant status.

I rise to ask the minister today if she would kindly consider the promise made by the previous Minister of Northern Development and the previous Premier, who reiterated that promise during the recent election campaign this summer, so that these restrictions be removed from people in the districts of Parry Sound and Nipissing so they can partake of specialized health care services, as other Ontarians can, all across the province of Ontario.

I also would think that, if the Ministry of Health hopes to promote such regional centres in northern Ontario as the cancer treatment centre in Sudbury, it would be wise to look at the travel requirements in terms of distances so that indeed residents in northern Ontario will be encouraged to utilize those services in northern Ontario.

RETAIL STORE HOURS

Mr F. Wilson: I would first like to pay tribute to the former occupant of this seat in this House, Larry South, who personifies the title of gentleman. Mr South takes his honoured place in a long line of distinguished members from Frontenac-Addington that continues to this day.

My reason for standing before you today, Mr Speaker, is to draw attention to the plight of a segment of my constituency and of Ontario's workforce not protected by any organization or even by the minimal, but soon-to-be-improved, Employment Standards Act of the province.

The workers of whom I speak are the small retail store owners and managers presently under contract to large mall landlords. This segment of the workforce, virtually unprotected by legislation or regulation, finds itself, due to contract obligations made in better economic times, forced to compromise religious, moral and family commitments in order to meet the greedy expectations of mall landlords. Many of them have been forced against their will to remain open for extended and abnormal hours which include Sunday and other traditional holidays. This is done for no other reason than to glean the last penny of possible profit to satisfy the greed of mall landlords.

I therefore ask this government, formed by the traditional and true party of the working people, to take the necessary steps to relieve the pressure on small retail store owners and managers by giving them, in regulation or legislation as soon as is possible, the option given to all other workers in the province, that is, to decide for themselves whether they wish to open on Sunday.

I beseech the small retail store owners and managers who hear my voice to make known to their elected representatives their views on this matter.

Mr Eves: On a point of order, Mr Speaker: I believe we have concurred that we have unanimous consent among all three parties to ask for unanimous consent on two issues, the death of Bill Stewart, a former member of this Legislature who was Minister of Agriculture and Food for some 14 years, and the commencement of International Human Rights Day and Week.

The Speaker: Do we have unanimous consent for the statements to be made?

Agreed to.

WILLIAM STEWART

Mr Villeneuve: It is indeed a sad day to report on the passing of a friend of everyone, who sat in this Legislature for some 18 years, Bill Stewart. He was known by his constituents, and indeed by everyone in this province. He was first elected in a by-election for the riding of Middlesex North on 5 September 1957 and for the next 18 years served with a great deal of dedication both his constituents and the province of Ontario.

He was very instrumental in bringing forth the Ontario Milk Marketing Board to stabilize the milk industry by uniting the province's 48 milk markets under a single marketing board, which first saw the light of day in 1965, and this was done in co-operation with the federal government.

Mr Stewart was above crass politics and worked with whoever, whenever, to better the farmers, the rural residents of Ontario, and by so doing, made Ontario a better place for everyone, and in particular for consumers, who enjoy and take for granted the clean food that our farmers produce.

Another major step was the formation of the Ontario Food Council in 1974. Mr Stewart was very instrumental in bringing that to the fore. As a matter of fact, the ministry changed names from the Ministry of Agriculture to the Ministry of Agriculture and Food during his stay as minister, which shows the concern he had for everyone here in the province of Ontario.

He also authored and helped the Agricultural Research Institute of Ontario, the crop insurance program, the agricultural rehabilitation and development program, better known to most of us as ARDA, the meat inspection for small plants and 50% cuts in farm taxes. The farm tax rebate came to the fore about the end of his tenure. He continued to defend the agricultural industry up until his death. He served as a volunteer on many organizations.

Bill Stewart, the farmer from Denfield, will not soon be forgotten. His hard work and dedication will benefit Ontario agriculture, Ontario farmers and Ontario consumers for many years in the future.

1350

Mr Nixon: It is very sad indeed to hear the news of Bill Stewart's death. As far as I personally was concerned, he was a close friend and I had the greatest admiration for his capabilities in this House and as a minister.

He was appointed to the cabinet by John Robarts in the autumn of 1961, just at the time I became the Liberal nominee for election in a by-election in the then riding of Brant, I believe it was called. It was his duty as a newly appointed cabinet minister to see that the Progressive Conservative Party did well in those by-elections. So my first contact with him was, I suppose, what the honourable member for Stormont, Dundas and Glengarry would say, in politics. I do not think Bill Stewart ever hesitated to be a politician. He was one of the best I ever had anything to do with. Fortunately, he began with a failure, because I was elected.

We had a very interesting time over the years of his ministry. There is no doubt he was an extremely capable and effective Minister of Agriculture and Food. The honourable member who has already spoken has recounted his specific achievements, and as a dairy producer myself I of course was intensely interested in the supply management that led to the Ontario Milk Marketing Board and the Milk Commission of Ontario, and I have always, of course, had a continuing interest in these matters.

Bill Stewart was an excellent speaker in this House. It seems to go with the Ministry of Agriculture and Food. They always have a special responsibility to convey government policy and the indications of the inadequacies of alternative policies to the farmers themselves. The farmers traditionally come to Toronto in the wintertime for major conventions, where their views are examined carefully. They have a chance to talk to their political ministers and it is always an extremely interesting function. Bill Stewart could probably do that as well—let us put it that way—as anybody I have ever heard.

I think the most important thing, however, was that he was effective in this House and understood its function. He argued passionately for the policies that he himself had

brought forward and on behalf of the policies of the government of which he was a member. He had the total confidence of the members of the House, and I would say of the farmers in this province. His initiatives in this regard are still seen to be providing leadership right across the country and even beyond.

After he left active politics, his role in the community continued in a very effective way. He became chancellor of the University of Guelph. He wrote a very interesting book about his political career and accomplishments and the political process, which I certainly recommend to anyone who has not got too much to do in other preparations for their work.

I join with other members in expressing our appreciation for a very effective life, well led. He was a man who understood the political process and in many respects was one of the best political practitioners and one of the best ministers of agriculture we have had in this province. Over the years I have also come to know his wife and family and naturally our sympathy goes out to them.

Hon Mr Buchanan: It is with great sadness that we too note the passing of Bill Stewart last Saturday. It was a very untimely passing. We had attempted to arrange a meeting with him to talk about some issues facing agriculture today and it is rather unfortunate that I did not personally have that opportunity to meet with this great man.

To all who knew him and his career as a politician, as Minister of Agriculture and Food and as a respected and admired member of the Ontario agricultural community, he was an honourable man who served his province well. Mr Stewart had many friends in the agricultural community and indeed is fondly remembered by the staff at the Ministry of Agriculture and Food who were fortunate to have worked under his leadership as a minister between 1961 and 1975.

Many of his accomplishments have been mentioned here today and I will not repeat them, but after leaving politics Mr Stewart was continually called upon by many groups seeking to make agriculture and food a dynamic and progressive contributor to Ontario's economy.

Mr Stewart's lifelong devotion to the pursuit of agricultural excellence was recognized when he was appointed chancellor of the University of Guelph. In 1988 Mr Stewart was presented with a Ministry of Agriculture and Food Centennial Award in recognition of his service to farmers and the farming community.

On behalf of the farmers of Ontario and the government of Ontario, I wish to express sincerest condolences to the Stewart family on their great loss.

The Speaker: I will ensure that the kind remarks and tributes, as recorded in Hansard, are sent to the family of Mr Stewart.

INTERNATIONAL HUMAN RIGHTS DAY

Mr Cousens: I would like to comment on behalf of our party on International Human Rights Day and International Human Rights Week. It is an international event of great importance. With today marking the 42nd anniversary of the signing of the United Nations Universal Declaration of Human Rights, we mark a milestone in human

history. For the first time an effort was made to define human rights across the broad spectrum of individual nations.

How fortunate we are in Ontario where the walls that once divided people through race, culture, nationality, religion, colour and language are breaking down. Our schools are often a microcosm of how the world should be. Young people have friends of different backgrounds. They value each other for who they are and what they are and do not concentrate on each other's differences, but enjoy what they have in common. During the 1990s more and more of us will be exposed to diverse peoples and hopefully, like our children, will appreciate the things we have in common.

Thomas Watson Sr, the founder of IBM, made respect for the individual one of the guiding principles of that company, and to this day IBM is renowned for the way people are treated. Respect and human rights go together. Each one of us in stores and schools, business and politics needs to show respect for each other. We begin to make human rights a meaningful statement in our society when we practise Watson's motto of showing respect for the individual in all we do.

Our multicultural society promotes understanding of the different peoples who make up our communities, and by knowing more about one another's background we gain a mutual respect for one another.

With human rights also goes responsibility. There are enough takers in the world who know their rights. It is refreshing that when someone else's personal rights are being denied or tampered with, someone will rise to the challenge of defending and supporting that weaker person. Last week a woman was swarmed by a group of young teenagers, robbed and beaten while others walked by unconcerned, uninvolved and seemingly uninterested. How can this be in a society such as ours?

As we think of human rights, I genuinely hope that we can all give a more caring concern that respects others and responds to their needs in a positive way when their freedoms and rights are threatened.

Human rights are an international issue. As we consider the needs of Jews in the Soviet Union, blacks in South Africa, minority groups in Iraq, repression in China, let us in Canada live in harmony with one another. International human rights are an ideal goal that must be endorsed and supported. Let us educate our society on the need. Let us set an example for the world.

1400

Mr Curling: Today I had the opportunity to share a platform with the Premier, the Minister of Citizenship, the chief commissioner of human rights and my colleague the member for Markham. It was in recognition of two things: It was the 42nd anniversary of the adoption of the Universal Declaration of Human Rights by the member countries of the United Nations and it was also to unveil the equality poster for human rights. I was very proud to be there.

What it does is it offers a vision, this declaration, for a world without injustice, without discrimination, without

cruelty, and confirms our faith in the dignity and worth of the human spirit.

Each of us has the right to the opportunity to live our lives with the dignity that is inherent in all humanity, without exception. The province of Ontario has shown leadership in this cause in the past and we must continue to demonstrate that leadership.

Many human rights violations happen right here in Canada—in Ontario, in Toronto, in our homes. Often we think of human rights violation as beyond the boundaries of Canada. We must ensure that our senior citizens are able to live out their lives in safety and dignity. We owe it to the people who built this province to ensure that they have proper health care and other services they need.

It also means giving them the opportunity to continue to contribute in the workforce. The ruling of the Supreme Court of Canada with respect to mandatory retirement begs the question of a province to look again at the Human Rights Code concerning this issue.

We must work to end hunger. That does not mean government support for food banks. It means having a decent level of support for people on social assistance. We must also create a society that helps people turn welfare cheques into paycheques.

Society still does not treat women, disabled people and visible minorities with equality. Ontario can only achieve its potential if we can make certain that each individual in this great province has the opportunity to fulfil his or her aspirations.

We in this province still wrestle in order to end illiteracy. The year 1990 was declared the International Year of Literacy in recognition that literacy is also a basic human right.

Also, there is the treatment of the refugees in our province, not giving them the opportunity to work and also to assert themselves immediately in a country that demonstrates freedom.

Every individual has the right to expect that we will achieve these goals. It is up to us as members of the Ontario Legislature to meet their expectations.

Hon Ms Ziemba: I am very pleased to be speaking on behalf of the government today on International Human Rights Day. As a government, we are very pleased that in our throne speech we again addressed the need to make sure that we break down those areas of discrimination, that we make sure people in our society have every access to all the freedoms that we evoke, hold and cherish.

International Human Rights Day is a very important day. As the honourable members have mentioned, this is a non-partisan day. It is a day when we want to make sure that all our citizens, whether in Ontario, Canada or the world at large can participate fully in all the benefits of society.

Today we are very pleased that we stood outside as a non-partisan group and celebrated International Human Rights Day by unfolding and showing a poster. We were very pleased that we all could make sure that we share those same beliefs.

As Minister of Citizenship, and as what I call my enlarged ministry, my ministry of equity, we will make

sure that groups such as our native people, women, visible minorities, members of the disabled community and our seniors, will no longer face discrimination because of sexism, colour, race, age or whatever. We are committed to making sure that everyone in Ontario has a place in Ontario and that there is a place for everyone in Ontario.

STATEMENT BY THE MINISTRY

GOVERNMENT APPOINTMENTS

NOMINATIONS AUX POSTES

GOUVERNEMENTAUX

Hon Mr Rae: I appreciate the opportunity to make a statement. I have said that my government's first challenge is to win the trust and respect of the people of Ontario, and I have said that our integrity will be measured by the way this government is run and our relations with the people we serve.

I am pleased to be able to tell the members today that this government is implementing new measures to ensure greater fairness in appointments to government agencies, boards and commissions.

This government will provide complete public access to all information on such appointments. There are approximately 5,000 positions, most of which are part-time. If the public is to be properly served, it is crucial that they be filled by women and men who are representative of the abundance of talent and the varied experiences that we have here in Ontario.

That is why this government is compiling detailed lists of each and every government appointment to every single agency, board and commission. When these lists are complete they will be distributed to public libraries across Ontario. Every resident of every community in the province will be able to find not only a description of the appointment but information about qualifications needed to hold the position, how much it pays and when to apply.

We hope to have this system in place by May 1991.

Nous voulons que le processus de nomination soit ouvert et clair pour tout le monde. Pour que le public ait confiance en ce processus, il doit être empreint d'équilibre et de perspective.

C'est pourquoi nous sommes en train de préparer une formule de demande normalisée qui va être à la disposition de tout membre du public intéressé à siéger à un organisme, un conseil ou une commission. C'est également pourquoi nous allons rappeler aux résidents de l'Ontario, par le biais d'une campagne annuelle de publicité, les postes qui sont vacants.

The time has come to strip away the secrecy and mystique which have always surrounded government appointments. The process must be open to everybody. It must be understood by everybody.

Obviously this government has its own policies and goals. We have a job to do and we will recruit and appoint the men and women we believe can assist us in meeting our agenda. But partisan affiliation should neither automatically qualify nor disqualify any applicant. Women and men who have not thought of doing so in the past, will, I hope, put themselves forward as candidates, and we will

carry out an effective program of recruitment to ensure that we make the most out of this province's great strength: the rich cultural and racial diversity of the people who make up Ontario.

We will establish an appointments secretariat, which will receive and record all applications, and we will ask an all-party committee of the Legislature to scrutinize the candidates we have selected.

I would like to take the opportunity today to advise my colleagues in the House that we are seeking applicants for a number of positions. They include the chair of the Social Assistance Review Board, members of the Social Assistance Review Board, an employment equity commissioner, and the chair of the Liquor Control Board of Ontario, to name just a few. We are also establishing an all-party committee—whose decision, I might add, will be final—to choose a new privacy commissioner.

This government realizes that everyone will not always agree with its final selection for some appointments. Universal approval of choices is simply too much to hope for. But the public has a right to see appointments made by a fair process, a process the women and men of Ontario can trust.

By ensuring public access to all details of appointments and by peeling away some of the secrecy surrounding the process, I believe we can ensure fairer selection of the best possible candidates.

RESPONSES

GOVERNMENT APPOINTMENTS

Mr Nixon: I am surprised that the Premier has put this forward in this particular tone. The release of information about public appointments has been public in this province, certainly for the last five years, and I can well recall as House leader that it was my duty to table the information, which was then distributed to the library on a regular basis.

As a matter of fact, the book that was originally tabled five years ago—giving the names of the officers in all the agencies, boards and commissions, the people who presently held the jobs, what the pay was and when the vacancies would occur—was thicker even than the Premier's briefing book, and therefore it was very complete indeed. So there is nothing new about making this information public, and the idea that somehow it was a mystery is really a mystery in the mind of the Premier and some of his supporters and really to no one else.

The idea, also, that it was distributed around the province is an excellent one, and this information, as I say, went to the library and was available to any individual in the province who wanted to undertake an application.

The honourable members would recall that there was an office reporting to the Premier that would examine reasonably carefully the people who were applying for offices. I can remember hearing from Frank Miller before he was appointed; from Bob Elgie, and he was appointed; from Mr Martel, and he was appointed. There was Ross McClellan himself, who was appointed on the basis of merit only, and Donald MacDonald, just as ones who came

to my mind as my friends and I listened to the Premier bring forward his particular view in this regard.

1410

I am quite concerned, when I read the Premier's comments, that some of the people in the province might misunderstand what he has in mind. He says: "We will establish an appointments secretariat"—I understand that Carol Phillips, who is well connected and highly trusted and has extensive experience, will be associated with that—"which will receive and record...applications. We will ask an all-party committee...to scrutinize the candidates we have selected." I can only presume that this is the royal "we," and that the government of the day, probably with the approval of the Premier, will put forward names to some sort of committee, which will then scrutinize. I do not know whether he thinks his friends in the back rows are not going to be busy enough, but obviously they will not have any appointment powers except for the one he specifically referred to on the last page, where he interpolated that an all-party committee would have the final selection on a new privacy commissioner.

I am very glad of that. I accept that. It is generally understood that where an office is associated directly with this House, it should be decided by the members of this House. I believe this is appropriate. But the only new thing here is for the Premier to come up to speed a little on this particular one. The rest of it is old stuff masquerading in the New Democrats' clothes.

We felt, as a government going back five years, that we opened it up as well. I simply want to reiterate that all the details in these appointments were known to all the citizens and that they were carefully scrutinized. The people who were appointed were appointed on the basis of their abilities. If some of them happened to be Liberal, the reason is exactly the same as the reason the Premier puts in his statement, that is: "Obviously, this government has its own policies and goals. We have a job to do and we will recruit and appoint the men and women we believe can assist us in meeting our agenda."

What could make more sense than that? That is the truth in the Premier's statement. It really means that things will be done as they have been in the past, with a little more democratic socialist pizzazz. We look forward to examining that.

Mr Eves: The Premier's statement is sort of like a good news and bad news story. The good news is: "We're going to do something slightly different from what has been done in the past." The bad news is: "We're going to make the final decision anyway."

The government can go through this window dressing exercise of having a legislative committee "scrutinize" the lists which the government presents to the committee for scrutiny, but I do not see in here any power of the legislative committee to make the final decision with respect to those appointments.

I guess the question I would have for the Premier and the government is: Who is going to make that final decision? The appointments secretariat, the legislative committee, the cabinet minister or the Premier of Ontario?

I think I know the answer to that question and I think that the Premier does as well.

Why would the Premier differentiate in his press release today by talking about why the government is seeking applicants for the position of chair and members of the Social Assistance Review Board, an employment equity commissioner and chair of the Liquor Licence Board of Ontario? I presume all will be subject to the scrutiny process, not the selection process.

He goes on to say that an all-party committee will choose a new privacy commissioner. If it is good enough for the new privacy commissioner, why is it not good enough for all the other appointments it wants to make? Why can the all-party committee not choose those people as well?

I think the Premier would do well to look back at an old recommendation of a previous standing committee on the Legislative Assembly, which recommended in its recommendation 20, dealing with the tabling of proposed appointments, that a standing committee of the Legislature review the nominees and recommend alternatives where appropriate on the basis of merit. Will this committee to which the Premier is going to send these scrutiny candidates have the power to select these candidates? Will it have the power to recommend and choose alternatives if it does not think the names he has submitted are appropriate or have the merit to assume these positions? If he is here today in this House announcing those changes, then I think indeed he would be announcing a significant new era in political appointments in Ontario.

Really, all this is, as the interim leader of the official opposition has stated, is so much window dressing to say that we are going to allow a committee to look at candidates we select and after we have gone through that process, we will choose, "we" being the royal "we," I presume, meaning the Premier: "I will choose who I think is best in the long run in any event."

ORAL QUESTIONS

EMPLOYMENT ADJUSTMENT

Mr Nixon: I have a question of the Minister of Labour on a matter that has concerned us once or twice already this session. The honourable minister would be concerned, as are we all, with the Statistics Canada announcement last week indicating that the unemployment rate in Ontario is now 7.6% and that bankruptcies are up 112% year over year.

Members may recall that it was more than a month ago that the Premier, in a ringing endorsement of his friend Victor Rice's move to Buffalo, indicated that there would be a new program designed to protect workers' pay and severance, particularly following bankruptcy, and that it would be retroactive to 1 October, that magic day.

Another magic day was last Thursday, the last day in which legislation could be introduced into this House for passage in 1990. We have not seen the legislation, therefore we will not see it now until well into the spring for enactment, whenever the House moves in that direction.

I would ask the minister if he is not concerned that there are these many hundreds of people, probably

thousands, who are subject to the difficulties of the present recession, who were counting on the protection announced by the Premier a month ago, and nothing has happened. Can he explain why nothing has happened and what protection is available for these people?

Hon Mr Mackenzie: I think the Leader of the Opposition will understand that when we bring in the legislation there are serious costs involved. We have to discuss exactly how encompassing the legislation is. We are not going to bring in legislation that cannot be enforced. For that reason we are proceeding with caution, but the member will see it shortly.

Mr Nixon: Members will recall that when the Premier made this enthusiastic announcement associated with Varsity's move to Buffalo, there was a wide variety of assistance that was going to be made available to the workers. I have a feeling that the Treasurer may have got hold of that list and realized that the cost of meeting those requirements would be unbearable and that the Minister of Labour once again is simply watching the world go by without bringing forward the legislation that, according to the press release at the time, he was committed to.

Is the Minister of Labour aware that the Treasurer's commitment of job creation funding for southwestern Ontario boils down to \$6.9 million for southwestern Ontario for this winter? Is that the best he can do, and in his normal conservatism, which is now bubbling to the surface, is he allowing the Treasurer to actually veto all of these progressive ideas that the honourable Minister of Labour and his Premier announced with such enthusiasm just a month ago?

Hon Mr Mackenzie: If there is a veto, I can assure the Leader of the Opposition that I am not aware of it. We are proceeding with our plans for the legislation and the member will see it in due course.

Mr Offer: In an Agenda for People and indeed in the throne speech, plant closure justification was specifically promised. The last day for the introduction and debate and passage of legislation has passed. New legislation cannot now be debated and passed until, at the very earliest, the spring session. If there are to be public hearings throughout the province, the very earliest they can take place is next summer. We have a recession now.

The minister made very specific promises six months ago. More than 15,000 permanent job losses have occurred due to plant closures so far this year. Why do the workers have to wait until this spring at the very earliest or most likely until the end of the upcoming summer until we see the plans the minister was able to make so specifically while in opposition and cannot share with this House while in government? When are the workers going to see the minister's plans?

1420

Hon Mr Mackenzie: The member will know that this is an issue that has been on the table since back in 1982, I guess, certainly since his government came in during 1985, and I can assure him that he will see legislation in this area shortly.

[Applause]

Mr Nixon: If the NDP members are conditioned to applaud an answer like that, I guess they are pretty well ingrained in party politics here. We expect something better than that from the minister.

FOOD BANKS

Mr Nixon: I would like to put a question to the Minister of Community and Social Services. Following her announcement late last week of \$1 million in support of food banks, she would be aware that Social Assistance Review Committee recommendation 268—and I am extremely familiar with the SARC recommendations, having lived with them for many months—states that, “The Ontario government should not provide formalized funding to food banks,” and that the task force on food banks said that, “No amount of money given directly to food banks will reduce the numbers of people who come to their doors.”

Can the minister not recall that she stated to the House on 22 November that the “government intends to respond to the needs of food banks, not by funding them,” and can she explain her reversal in policy and what the impact will be if we optimistically look at what is facing us in the next few weeks?

Hon Mrs Akande: I thank the member for the question. Yes, indeed, I am aware of the recommendation from SARC, though not as able as the member to remember them by number. However, I also recall it was this party that was particularly interested in the fact—and I recognize it—that there was an emergency and that this emergency had been spoken about frequently by the food banks.

Also in consultation with them I learned that although many of them did not want us to fund the food banks because they thought it would be a negative move, there were others, who also made themselves very loudly and plainly heard, who required such emergency funding. Then, within the context of the emergency, we decided to do something which would allow the food banks that did not wish our funding to use the money in a way that would help them; that is, to help people to direct themselves to get social assistance, unemployment insurance, people who they said previously had difficulty accessing the system because they did not know how, and would also allow others who had seen that they needed the money to use it in their way.

Yes, indeed, within the context of an emergency, one alters one's plans.

Mr Nixon: I suppose one of the disappointing things about going into government is that even though you change your mind, with what the honourable member has just told us was good reason, still it is sometimes misunderstood, presumably by people who are knowledgeable in the field.

The food banks' representatives are reported to have said after a meeting with the minister that “temporary support measures described in her announcement on Friday would not provide meaningful solutions to the problems of poverty.” If that is true, and certainly NDP policy has been based on this sort of good advice, why

did she change her mind? Is there a change in the level of emergency between 22 November and last Friday, 7 December? What happened? Did the level of irrationality among her colleagues increase to the point where it was irresistible?

Hon Mrs Akande: Yes, it was one of the points that was mentioned so frequently by the member, that in fact the emergency was mounting. But let me say first of all, very clearly, that it is not this government's expectation or its intention to solve the food bank issue with an emergency fund. We have already begun to move towards solving the questions of poverty. That train has left. Did the member miss it? It started when we increased social assistance; it started when we increased the increase; it started when we increased the shelter costs so that people would not have to decide whether to pay rent or go to the food banks; it started when we insisted that men pick up the cost of supporting their children. Oh, yes, indeed that train has left.

Mrs McLeod: Nobody missed the train, as little as was offered: the 2% solution was barely enough, as people involved in the field recognize, to cover the additional costs.

We find it rather astounding that, with some very specific emergency responses recommended by the task force on food banks, the minister seems to have shifted the responsibility for dealing with the emergency situation to the community itself. If in fact the government is committed to long-term reforms to dealing with poverty, let me remind the minister of a number of the issues in which she has made some previous commitments which would begin to address this issue.

We need to see 10,000 new child care spaces and 10,000 subsidized child care spaces that were promised in each of the first two years of an Agenda for People. We need to know that municipalities such as Metropolitan Toronto will not be left on their own to provide the kind of training that is needed to assist those on social assistance. We need to support literacy programs, we need to use existing emergency programs to assist recipients to deal with the unexpected emergencies that drive them to the food banks. We need to implement programs such as direct deposit of social assistance cheques so that recipients are not spending as much as \$40 and \$50 a month just to cash their cheques. If the government is committed to long-term reform, can we ask once again when we will see those specific plans to deal with this pervasive problem of poverty?

Hon Mrs Akande: Thanks to the member for a reminder of so many of those initiatives which we have begun. We have in fact begun to work interministerially again to design skills programs that will address the needs of people who have to go back to work and that will make sure that people are receiving skills training in the areas they need to in order to apply for and to have the kinds of jobs that are available to them. We have also begun to look at that whole business of direct

deposit, and we will be quite willing to report on this and many other initiatives as soon we have completed.

INTERNATIONAL TRADE

Mr Stockwell: My question is to the Minister of Industry, Trade and Technology. On Friday, discussions on the Uruguay round of the General Agreement on Tariffs and Trade collapsed in Brussels because of a failure to reach agreement on agricultural subsidies within the European Community. The response of the international negotiators and economists to GATT was that this was guaranteed to plunge the world into a war of regional trading blocs.

The government has failed to show any sign of economic leadership. What I want to know is what plans the government has following the collapse of GATT to guarantee access for Ontario growers and manufacturers to the European market.

Hon Mr Pilkey: It was indeed a pleasure to represent this province at what was to be the final round of the GATT talks in Brussels, Belgium. I am pleased to advise the member that notwithstanding the fact that an agreement was not achieved in those final rounds, primarily because of a disagreement between the United States and the EC, these talks will be continued, hopefully in Geneva, Switzerland, likely in February 1990.

Ontario was well represented through its trade delegations and also had the benefit of the company of the Minister of Agriculture and Food, who played a very key and important role in those particular talks. We also had the benefit of the International Trade Advisory Committee, from private sector representatives known well to many members of the House opposite, who joined hand in glove with us in an effort to maintain Ontario's position so that we might continue the prosperity we need and require to enjoy if we are to maintain the 35% of exports that we have in this particular province.

We will again be meeting with federal trade minister John Crosbie in the near future prior to proceeding to Geneva to again ensure that Canada and Ontario have a strong voice at those talks so we can ensure that our manufacturing and business concerns continue to prosper in a very fruitful way.

1430

Mr Stockwell: It is very obvious why the Leader of the Opposition was not on the train; there were no seats left after their ministers had taken them up.

It is obvious that the government does not have any plans whatsoever for revitalizing Ontario trade in the face of increasing protectionism. To go to the GATT discussions in Brussels without a contingency plan is at best naïve and at worst irresponsible. Considering the reaction of the Canadian economists to the GATT failure was, "Thank goodness we have guaranteed access to the US market," can the minister please tell the members of the House exactly what plans his government has to further capitalize on the free trade agreement during this period in which we need it the most?

Hon Mr Pilkey: It was suggested by one of my colleagues that perhaps the appropriate response to his question is that the member opposite should have some faith in the Mulroney government.

I can assure the House that the Ontario delegation and the ITAC group met frequently in Brussels. We were very together in trying to assert ourselves as advocates for this province, to assure ourselves that this province and the people and the workers of this province continue to do well in our trading relationships, whether it be with the European Community, whether it be in the Pacific Rim or whether it be with the United States of America. These talks regrettably deteriorated to a circumstance that Canada could not alter and, as I indicated before, a very basic and real disagreement between the EC and the United States.

It is my impression that talks are going to have to be held at the very highest level of government between Kohl, Mitterrand and Bush, at a minimum, to help break this impasse. If that is not done, I think it is rather fruitless for the trade ministers such as myself and those from other nations to proceed to Geneva without there being some direct intervention by those authorities, because quite frankly those countries are not prepared to come to the table for any meaningful dialogue or discussion to break down the subsidies, that are quite unnecessary and harmful, that are impacting negatively on trade today.

Mr Stockwell: This government is quite happy, day after day, to stand up and blame others for the recession that we now face. What they do not seem to realize is that we are responsible for our own economic destiny.

The United States is currently establishing free trade negotiations with Mexico and is looking towards expanding these arrangements into other South American states. As the world moves into a smaller number of very powerful trading blocs, Canada is still busy fighting within itself for trade between the provinces.

Can the minister tell the members of this House what plans he has—if he has any plans; apparently not—for dismantling the system of interprovincial trade barriers? Will Ontario take a leadership role in the issue and unilaterally remove the barriers, or is he simply going to sit before this House and continue to blame senior levels of government and senior levels of government throughout the world? What is the minister's plan?

Hon Mr Pilkey: The honourable member references the national government. As I recall listening to the national debate, or what there was of it, from Mr Mulroney in the FTA, we were going to be led to some great promised land and certainly not be left with this circumstance of rising and mounting unemployment, the likes of which we have not seen in the past decade. The member might check with his colleague in Ottawa who was reported in the Toronto Star on the weekend as throwing up his hands and saying that he cannot do anything about these mounting unemployment rates, interest rates and so on.

I can assure the honourable member that this province, through its trade delegations, will continue to work with the sectors of Ontario to help promote them, to try to

advantage them, to try to put them in the very best position to trade not only with the United States of America through the free trade agreement but also with the European Community, which quite frankly is developing a market in 1992 much larger than even the Americans have.

I do not know if that responds to the question. I hope it does. I suggest to the member who asked the question as well that he perhaps consider going to Brussels, and not taking the train but the buses. I am sure he will enjoy the trip.

Mr Villeneuve: My question is to the Minister of Agriculture and Food: Given the breakdown of the GATT negotiations and talks that he attended last week, can he tell us what measures he and his government will take to assist Ontario agriculture to try to negate the very heavy subsidies that are being paid by the United States and the European Community?

Hon Mr Buchanan: First of all, I would like to clarify the language of the question. It is not necessarily a breakdown. The terminology used was an "adjournment" of the talks to a date in the new year. So we expect to continue the talks in the new year.

In the meantime, in Ontario we are going to consult with farm leaders, we are going to consult with the food group, and meetings have been set up for next week and the following week to consult with the agricultural community to address what sorts of strategy we can put in place.

Further to that, we have called for a meeting of the agriculture ministers across the country. There was a meeting scheduled in February. I have asked that this meeting be moved forward so that we can readdress this issue, come up with a plan and go back to the negotiations with a plan that we can implement to assist the farmers of Ontario.

Mr Villeneuve: Farmers are going broke left, right and centre. They are taking a very large reduction again this year in realized net farm income. Consultation should be at an end. The minister should know there is a major problem just to get people to survive, just to break even. Two weeks ago the Premier acknowledged to the Ontario Federation of Agriculture, for instance, that yes, Ontario needs a strong voice for agriculture, but there has not been any approval of that strong voice, which is badly needed. We need a safety net and the federal government is working on that. I hope and I think I understand that this government is also supportive of that.

In 1991, the crop income will not be any better than it was in 1990, and in 1990 it was at a 15-year low. What can we expect from the minister as encouragement to Ontario agriculture over the winter months as it prepares to go and plant a crop in 1991?

Hon Mr Buchanan: I am sure the member is aware that we have been talking to farm groups and we have been looking at safety nets. At the meeting that was held in Winnipeg a month ago with our federal counterpart, we have come to agreement on some safety net proposals. The member would also be interested to know, I am sure, that while we were in Brussels we did spend a considerable

amount of time discussing safety nets with our federal counterpart. I hope that by next week the final details will be ironed out so that we can announce that the safety net plan is going to be put in place to assist farmers in the very near future.

Mr Villeneuve: Regarding what the Minister of Industry, Trade and Technology said in reply to an earlier question, I want to quote from a press release from the Minister of Agriculture and Food. It says as follows: "Canada's offer is solid and balanced, addressing the three key areas of market access, internal support and export subsidies. In particular, I am very pleased by the federal government's stance in support of a strengthened article XI" of the GATT.

I am pleased to see that one member of the government understands a little bit what is happening. I am not sure about the Minister of Industry, Trade and Technology with his previous answer. However, agriculture's returns are 14.3% less this year than they were last year. The year before they were 17.8% less than they were the previous year. If this kind of wage loss was being taken by any other sector of the economy, this government would come to the rescue immediately. In view of those statistics, what does the minister plan on doing?

1440

Hon Mr Buchanan: As I mentioned earlier, we are planning to proceed with the safety nets. We would like to speed them up to make sure they are in place for next year.

Further to that, I would like the member to know that if we do not bring in the safety net program as a national program, there is a very great danger that the western provinces may gain all the money that is available from the federal government for support. I have argued very strongly that we have national plans to support agriculture in this country and it has been accepted by the federal government. Mr Mazankowski now supports the concept of national programs so that Ontario will get its fair share of federal tax dollars to go to support agriculture in this country.

MANDATORY RETIREMENT

Mr Curling: My question is for the Minister of Citizenship, who has responsibility for human rights and race relations. As this House has already acknowledged, on this day we pay tribute to the importance of human rights and human dignity for people in all walks of life.

The government has made a strong commitment to senior citizens in Ontario. As I am sure the minister is aware, the Supreme Court of Canada, in a decision handed down last Thursday, upheld the validity of mandatory retirement policies.

The minister will also be aware that mandatory retirement legislation impacts most adversely on elderly women and the poor. In addition, as the minister may know, other Canadian jurisdictions such as Manitoba, New Brunswick, Quebec and Alberta, as well as the federal government, have all abolished mandatory retirement. Given the government's strong commitment to individual rights, can the minister outline what her government intends to do to

protect the rights of seniors adversely impacted by this decision?

Hon Ms Ziemba: I thank the member very much for the question, because I too have those same concerns, as he well understands. Having heard the result of the court action, we were very concerned and we have instigated some talks between our own ministries to address this. We will be addressing it, though, in several different ways, as the Minister of Community and Social Services has already said, with the various different programs that we have in place and with the moratorium on rent controls as well.

I think it is a very broad issue. It is not just the issue of whether we want people to go back to work; we also have to take a look at whether people have the right to retire and to live in dignity in their retirement. But I do share the member's concerns, and we will be talking to the Attorney General and other ministries as well. I thank the member very much for his concern.

Mr Mahoney: I am not quite sure if the answer was stating a moratorium on a decision, or interministerial dialogue, or exactly what it is the minister just said. It seems to be more of the same old thing.

Given the government's previously stated commitments to individual rights, I find it quite surprising that the minister and her leader have failed to address the issue of mandatory retirement since the Supreme Court delivered its decision last week. Is it purely coincidental that her government refuses to set out its policy initiatives in this area since labour has come down strongly in favour of the Supreme Court ruling favouring mandatory retirement? Can the minister tell us whether the Canadian Labour Congress has decided this issue for the government, or will the minister tell us that the government will act to protect our senior citizens?

Hon Ms Ziemba: I thank the member for his question. No. We are taking our time to look at this issue because it is a much broader issue, as I said. Yes, we do believe in the rights of people.

Mr Mahoney: Not for the seniors, it isn't.

Hon Ms Ziemba: No, it is a broad issue because the seniors do have a right to retire, if they want, in dignity. It is also an issue of pensions. We are very concerned that people should not have to work because they cannot live on their pensions, and that has certainly been the problem in the past.

Mr Mahoney: You don't understand the issue.

Hon Ms Ziemba: Yes, we do understand the issue, and we are concerned about it. We will be making sure that we sit down and discuss and look at the issue in its broad terms to make sure that the Attorney General and I will be speaking about this.

ENERGY EFFICIENCY

Mr Jordan: My question is for the Minister of Energy. I assume the minister supports the goal set by her government of increased conservation and energy efficiency. As she will know, Ontario Hydro has several financial assistance programs to help apartment building owners

defray the costs of retrofitting apartment buildings to make them more energy efficient. Does she believe the energy saved through these programs will be a major part of her government's energy conservation program?

Hon Mrs Carter: While that is of course one part of our conservation plans, it is very far from being the only part, as the member is well aware, because these plans are very far-reaching indeed.

Mr Tilson: I gather the answer there is that we are not sure, but I do have a supplementary question for the minister.

Ontario Hydro is encouraging apartment building owners to individually meter their units. Their brochures, which I have before me, indicate that individual metering can reduce energy consumption by 30%. Hydro provides a forgivable loan of \$300 per unit for up to 75% of the cost of installing individual meters.

The owners of a town house complex in Kitchener heeded Ontario Hydro's advice and installed individual meters in 51 units at a cost of \$2,500 per unit. Now they are caught in the Minister of Housing's freeze and they cannot recover the remaining \$2,200 per unit they spent. Clearly, there is no longer any economic incentive to do this type of work that has been put forward by the Ministry of Energy. The efforts of the Ministry of Energy in the field of energy conservation are being undermined by the Minister of Housing. I think the minister will agree with that. Does the minister not think that the Minister of Housing's rent control policies are putting her energy conservation goals in jeopardy as there is now no incentive for apartment building owners to undertake energy efficiency projects?

Hon Mrs Carter: If the problem that the member opposite is outlining is indeed happening, then we will look into it with our colleague the Minister of Housing and see what the situation really is.

ST PATRICK ELEMENTARY SCHOOL

Mr Sutherland: My question is directed to the Minister of Education. Last week, St. Patrick elementary school in the city of Woodstock in my riding was closed and the students were sent home after unusually high levels of methane gas were detected. Since that time, the city has had some wells drilled to siphon off some of the extra gas. The school has reopened today and the students have gone back. However, there are still some parents concerned about the safety of their students who have refused to send their children back to the school.

My question to the minister is, what assurances can she give that her ministry will ensure that the safety of the students and staff at St. Patrick elementary school will be looked after?

Hon Mrs Boyd: I appreciate the concern that the member has expressed and certainly the ministry was quite concerned as well to hear about the problem at St. Patrick school. The ministry's regional office in London continues to monitor the situation.

The action that was taken was not only to dig the wells with the pipes but also to install electric blowers. We have

had assurances from both the city engineering department and the medical officer of health that in fact the levels are safe and will continue to be monitored. This is a really serious problem, because the school was built next to a landfill site and we all know that these are serious issues when that happens.

Mr Sutherland: Is the ministry willing to do any of its own monitoring of the situation and of the methane gas levels?

Hon Mrs Boyd: I am not entirely sure of the answer to the question, because my understanding of it was that this was the responsibility of the municipal government in terms of the engineering department and the medical officer of health. However, I will ascertain and inform the member of that as soon as possible.

1450

USER FEES

Mr Phillips: My question is to the Minister of Health and it really flows out of the announcement made last week in Quebec around health care. Will the minister indicate to the House whether or not her government at any time during its life is considering any form of user fee in the health care system in Ontario?

Hon Mrs Gigantes: The member refers to the Quebec report. We have not received a copy of that report yet, but I am looking forward to getting it and studying it. The recommendation which is made in the Quebec report for service charges for people who go for non-emergency service to emergency centres at hospitals is certainly not something that is under consideration by this government.

Mr Phillips: I do not think that the minister has answered the question. I said, is the government at any time during its life considering any form of user fee and will she indicate whether she has ruled that out or not?

I would ask the minister if she might be more specific in her answer. She has talked merely about the emergency fee. What we are interested in is whether or not the government will consider any form of user fee during the life of her government. I think it is extremely important to the health care system of Ontario that we know the answer to this. I would like to know whether her government has or has not ruled out user fees in the health care system in Ontario.

Hon Mrs Gigantes: The member is aware that there are some charges within the health service system in Ontario for items which are not covered under OHIP. We have no plans currently to impose other charges.

ECONOMIC POLICY

Mr Stockwell: My question is to the Treasurer. On 6 December there was a communiqué released from the meeting of provincial finance ministers. That communiqué called for an end to the spending habits that we have found ourselves in for the past number of years, those spending habits leading I think in some degree to the recession that we are in.

We all know that out-of-control spending causes a higher debt, that higher debts increase the interest rates etc.

Interest rates are a concern that small business, farmers and so on have today. Why is it that the Treasurer opposed the signing of this communiqué and what is it specifically in it that causes him some concerns, or is he opposed from his political perspective?

Hon Mr Laughren: I appreciate the opportunity to explain and report on the meeting of the finance ministers. I should make it perfectly clear that what I objected to in the communiqué was not the fact that the provincial finance ministers wanted to control expenditures at a time of rising deficits all across Canada, but rather that the communiqué expressed what to me was almost a fixation or a singleminded interest in controlling expenditures as opposed to taking even any kind of serious look at the whole question of revenue possibilities in the various jurisdictions.

For those reasons I felt that I could not in all honesty sign and be part of a communiqué that concentrated solely on expenditure control the same week that I had been on my feet in this place announcing a \$700-million antirecession package. I thought that would have been inconsistent on my part.

Mr Stockwell: The past five years were very good years. We saw increased spending in Ontario: \$17.2 billion more, or nearly 60%, since the 1985-86 fiscal year. Since 1985-86, Ontario government spending has increased at an average annual rate of nearly 10% and, over the 1984-85 to 1989-90 period, Ontario government program expenditures increased at an average annual rate of 9.6%, compared with a 6.4% average rate for provinces and a 3.6% average rate for the federal government.

The concern is that this kind of spending took place during a very big economy, a boom economy. In fact, we spent at unprecedented levels. The commitment that I think the taxpayers would like to hear from the Treasurer is if we have to spend during the boom years, and the Treasurer is discussing expenditure increases during the bad years, when is the time not to spend? When is that crucial time in fact to pay the debts? When is that crucial time to give the taxpayers a break on the revenue side or the taxpaying side?

It seems to me we spend in the good years and we spend in the bad years. When are the years that we stop spending and pay those debts so our children are not burdened with them from years ago?

Hon Mr Laughren: I am sure that the critic, the member for Etobicoke West, is not implying in his question that I or we had any responsibility for spending in good times, although we do look forward to that opportunity in the years to come.

I would say to my critic, the member for Etobicoke West, that it seems to me it is not appropriate at a time of a recession—and keep in mind that Ontario, although I hate to use this expression, is leading the way in recession in this country, as a matter of fact in North America. So I think it would be completely inappropriate for me to agree to any kind of communiqué that said we should be singleminded about expenditure controls. We simply cannot do that.

It would be hypocritical on my part to say yes, I think the federal government should put a cap on expenditures at the same time that those finance ministers were asking for the federal government to reconsider its cap on certain transfers to the provinces. For those reasons, I felt that I could not be part of that communiqué.

CANADIAN BROADCASTING CORP CUTBACKS

Mr Lessard: In the city of Windsor, Mayor John Millson has established a task force to deal with the incredible loss of local programming as a result of the cutbacks at CBC. I think this initiative clearly demonstrates that the people in the city of Windsor are not prepared to just lie down and play dead with respect to this issue. As much as I would like to make a speech about my feelings about this loss, I know that this is not the appropriate place to do that.

There are several options that are being pursued by this task force, one of which relates to the possible involvement of TVOntario. My question is to the Minister of Culture and Communications. I would like to know if he can advise this House whether he is prepared to recommend that TVOntario provide this vital and much-needed service in the city of Windsor with respect to local news programming, or whether he is able to do that.

Hon Mr Marchese: I share the distress that the member is feeling and I share the distress and the outrage that Windsor is feeling. I wish that I could immediately fill the communications gap that has been caused by the federal government on the CBC broadcasting.

As the members know, TVO is an agency of the ministry—it makes its own programming and allocation decisions—but TVO is limited to educational broadcasting and is not in a position to operate programming locally. Its only programming centre is in Toronto and it only broadcasts across Ontario. It cannot be a substitute for the CBC.

There are two things that prevent it from being able to do what the member asks and what Windsor would like, and those are that the educational broadcasting agreement does not allow it and its physical structures do not allow it to do the kind of programming that he suggests. I think that asking for TVO to pick up on the CBC cutbacks is like asking GO Transit to pick up on the Via cutbacks.

Our outrage needs to be properly directed against the federal government. This is a national issue that needs a national answer, and we need to focus our energies on reversing this national disaster.

1500

Mr Lessard: In light of the answer that the minister has given, I wonder if the minister can advise the House as to what he is prepared to do, if anything, with respect to this issue.

Hon Mr Marchese: Again, I am not optimistic that the federal government or the Minister of Communications is going to regain his sanity and do the right thing on this matter. However, there are several things that I am doing that probably will not solve it, but we have written to Mr Masse stating our outrage and expressing to him our desire that he restore the funding to the CBC; we are writing to

Mr Colville, the chair of the CRTC, calling for public hearings on the review of the CBC licence, and we have written to Mr Veilleux to express to him our concerns.

In addition, I am getting in touch with all of the counterparts, the ministers of all the provinces, so that hopefully we can meet, and if we cannot meet, to discuss what we can do together in terms of taking a position nationally against the CBC cutbacks.

Mr Sorbara: I am glad that in the face of the worst CBC cutbacks in history, the Minister of Culture and Communications is prepared to express his concerns.

VIOLENCE AGAINST WOMEN

Mr Sorbara: My question is to the Minister without Portfolio responsible for women's issues. Last Thursday in this House we were listening to some very moving speeches by members commemorating the lives of the 14 young women who were murdered at the École Polytechnique in Montreal. On that very day in Hamilton a jury acquitted one Guy Ellul of the murder of his wife.

In that case, the evidence showed that Mr Ellul stabbed his estranged wife some 21 times. Some of those wounds were as deep as six inches. The evidence also established that prior to this incident, the accused had spoken publicly about killing his wife and his children, and indeed committing suicide, if his wife were to leave him.

My question to the minister responsible for women's issues is this: In light of the very grave concern, not only in the community of Hamilton but right across the province and indeed around the country, about this verdict, and in light of the minister's responsibility to speak on behalf of women throughout the province of Ontario—and not to suggest at all that in this House we ought to convict a man who has recently been acquitted—what is the minister prepared to do in light of the fact that men and women from Hamilton are outraged at this decision and look to this government for some direction?

Hon Ms Swarbrick: In sharing the member's great concern, I believe that the question would most appropriately be answered by the Attorney General.

Hon Mr Hampton: Without commenting any further on the specifics of the case, I can tell the member that in the ordinary course this kind of decision would be reviewed by senior crown law officers at the Ministry of the Attorney General to consider whether an appeal should go forward, and that will be happening in the ordinary matter of course very soon.

Mr Sorbara: I accept the fact that the minister responsible for women's issues wants to refer the question to the Attorney General. There was no doubt in my mind when I got up to ask the question that in the normal course of things the crown law officers would be reviewing the address to the jury and the transcripts of the trial to determine whether or not there was a basis for appeal.

I directed the question to the minister responsible for women's issues because I was referring to a different matter. It was but three weeks ago that the minister responsible for women's issues, in the face of a lobby from the Ontario Association of Interval and Transition Houses, said that

this new government was going to make a real difference on the issue of violence against women.

So my question to the Attorney General, to whom the question has now been referred, is this: What plans does he have to make sure that some different dynamic comes from this government to send out a different message about violence against women in this province from the message we get from this jury in Hamilton?

Hon Mr Hampton: I do not need to speak for the minister responsible for women's issues. I think it is very plain on the record that the minister responsible for women's issues has advocated strongly on this issue, has made wife assault an issue which is very clearly before the public, has made it a permanent program of this government, has dedicated more funds to that program and has been very proactive indeed in terms of informing the public that this cannot and should not happen again.

ANTI-DRUG STRATEGIES

Mr Carr: My question is for the Solicitor General. Over the past week I had the opportunity to spend some time with police officers to educate myself and to consult about some of the problems of crime facing this province. In fact, I had a bit of an opportunity last week to spend some time in the Premier's own riding, up in 31 Division, and watch while drug deals were being made.

Having seen at first hand what the men and women of our police forces face daily, and due to the fact that there was no mention of a strategy in either An Agenda for People or in the throne speech, my question is this: Is the Solicitor General planning to introduce an anti-drug strategy for this province and, if so, when might this House expect it?

Hon Mr Farnan: For the member's information, there is already an anti-drug strategy. It is operative. We will in fact be reporting on the advisory committee to the minister. This report will come into the House, I would think, within the next week. Not only is the strategy in place; it is operable, functioning and doing very well indeed.

Mr Carr: Up to 90% of the crimes, as I found out in my experience of being out there, are drug related, and while the number of incidents of crimes is staggering, what is really shocking is the way in which the police are handcuffed in doing their job.

The previous government, in the Black report, focused on education as a method of eradicating this terrible problem. While we support that focus, I would also like to know if the Solicitor General will include education and treatment in the strategy that he is putting together. I will ask him today if he will make a commitment to ensure that the police have the tools to get the job done. Will the Solicitor General make that commitment to this House today?

Hon Mr Farnan: Education is indeed very significantly part of the present strategy. Indeed, the education programs are being put in place within our school system between grades 3 and 10 and being expanded from

grades 1 to 3 by 1991. So prevention and education are very, very significant.

I want to point out that the three aspects of the anti-drug strategy include prevention, education, treatment and enforcement. But the member should realize that the emphasis has to be not simply on one aspect of these areas. Enforcement is there. We have in place special anti-drug units. We have special training taking place, where our police services personnel receive special training, and we shall continue to expand that. Specialized training will continue, prevention and education, treatment and enforcement. It has to be a composite approach, not a single approach. We will continue along those lines.

COMMUNITY COLLEGES

Mr Hansen: My question is for the Minister of Colleges and Universities. On 20 July 1990, the Vision 2000 report was released by the minister's predecessor in the Liberal government. The report had over 40 proposed initiatives for the Ontario colleges of applied arts and technology. Among the key recommendations were the restructuring of the colleges to include programs to focus on the development of generic skills; a comprehensive review of a system-wide curriculum, standards and accreditation of programs, and encouragement of accessibility for the underrepresented groups.

A deadline of 30 November 1990 was established for comment on the report by educators and other interested parties. Can the minister tell the House if that deadline was adhered to?

Hon Mr Allen: I appreciate the member's concern for the colleges of this province and for this very creative report that has been received, not by me but by a previous minister, and indeed inaugurated by the member for Fort William. This has been an unusually effective, perhaps the best consultative process this province has ever seen in terms of the consultation of stakeholders, and indeed a process in which many members of this House participated very helpfully, because they too were consulted.

This document contains many creative proposals. It is true there was a deadline of 30 November. Some of the colleges had a bit of a problem responding to the full range of the report within that confined period of time, so I have extended the deadline until 31 December and I am awaiting those recommendations until we take full action on the report.

1510

SKILLS TRAINING

Mr Daigeler: I am rather pleased that the member just asked the question that I was going to ask today as well. For that very same purpose I brought along a copy of the report. I am very pleased that the minister appreciates the work of the previous Minister of Colleges and Universities, the member for Fort William. When I met with the students and with representatives of the college community, as the minister has said, they were very appreciative of the process that led to this report and in fact they were also very appreciative of the recommendations that have been put forward.

In light of the minister's support for this project, I would also like to ask him about his plans for the training efforts of the business community. Many of the recommendations relate to the need to further develop a training culture in this province. I would like to ask the minister whether he shares my conviction about the development of a training culture, especially by businesses with up to now only 31% of businesses providing training. Is he prepared to implement those recommendations of the Vision 2000 project as quickly as possible that relate to the training efforts of the business community?

Hon Mr Allen: This report is not going to sit on the shelf and this minister is not going to sit on the fence. It is really interesting that the gentleman opposite is asking me to implement it before the stakeholders have all had an opportunity to tell me specifically what they want done about this very complex and far-reaching report.

I have already in fact sat down to consult about methods and possibilities of moving ahead from this point. Certainly I have had my close consultation with the head of the Council of Regents, who masterminded this document and its results in a very effective way. I will be looking to an implementation process that follows very much that good model. I will not be looking for mechanical quick fixes. I will be looking for a process that effectively, over the next few years, puts in place the major recommendations that come from this report, and not least of all those that pertain to skills and the training dimension of that document.

Mr Daigeler: The minister has acknowledged that the consultation process was very excellent and that it was very far-ranging. He has now had four months to study those recommendations. I do not see the need to have another whole round of consultations in order to implement at least the final recommendation of this report, which was to set up a committee that will move forward and do the very work that he is just spelling out. That recommendation can be put into place now and I hope he will do that before Christmas.

However, my specific question, which the minister did not answer, was, what is his view of the fact that only 31% of businesses in this country are providing training and how is he planning to encourage our business community to provide training, this so important educational responsibility which is presently not fulfilled by the business community?

Hon Mr Allen: That was a great many words about not very much, in the sense that I am currently—

Mr Scott: It's a matter in which you used to have exclusive expertise, as I remember.

Hon Mr Allen: That is right. I have had two whole months, of course, to examine the whole front of skills training and the whole front of the college system, and also to get myself involved in negotiations with the federal government around OTAB, the Ontario Training and Adjustment Board, a provincial and federal training board. I have already had one sit-down with that minister. We are preparing for negotiations. Surely the member is not suggesting that I should jump the gun on the whole implemen-

tation process around Vision 2000 and around the negotiations for establishing a training culture in Ontario. Give us a little break, as my fellow minister in the Housing ministry said to somebody else last week.

TRITIUM

Mr Jordan: My question is for the Minister of Energy. We are having a difficult time understanding the government's policy on nuclear energy. First, one of the government's favourite words, "review," was just put into place to study Ontario Hydro's demand-supply plan. The minister said she would review the plan and then decide if nuclear power has a future in Ontario.

Before they were on the government side of the House, the New Democrats strongly opposed the sale of tritium for peaceful purposes. They did not even want it transported along the highways of this province. What is the current government's policy on the sale of tritium?

Hon Mrs Carter: Our policy on tritium is under review at the moment. This is a matter which does concern us. We are looking into it very profoundly and we shall have a policy in the very near future. At the moment, things are proceeding as under the policy of the previous government.

PÉTITION

ÉTABLISSEMENT D'UN ÉDIFICE À LOGEMENTS SUBVENTIONNÉS

M. Villeneuve : Hier après-midi, j'ai eu l'occasion de visiter le village d'Embrun, où on m'a présenté une pétition destinée au ministre du Logement, par le comité des aînés de Crysler, signée par 165 personnes de la région. La pétition se lit comme suit :

«Dû à un urgent besoin, nous, les aînés de Crysler, supplions la Société de logement de l'Ontario : l'établissement d'un édifice à logements subventionnés pour les personnes âgées dans notre communauté.»

Cette pétition est signée par 165 gens de l'âge d'or de la région de Crysler ; il y en avait plus de 200 à la réunion hier après-midi.

INTRODUCTION OF BILLS

COMMITTEE ON THE DIRECT ELECTION OF THE PREMIER ACT, 1990

Mr Henderson moved first reading of Bill Pr21, An Act to establish a Committee respecting the direct election of the Premier.

Motion agreed to.

Mr Henderson: The purpose of this bill is to establish a committee to develop a plan under which the Premier of Ontario would be elected by direct election by all Ontario electors. The committee will be composed of members of the assembly, academics, a government lawyer and the chair of the Ontario Law Reform Commission.

Many different models of democracy are alive and well somewhere in the globe. Wisely, many jurisdictions canvass the global options in the course of refining the model of government best suited—

The Speaker: The member for Etobicoke-Humber, a brief explanation is all that is in order. You have already addressed the basic principle of the bill in the first three sentences. That is all we need to hear.

Mr Henderson: I would like to say a word or two about the nature of the committee.

The Speaker: No, I am sorry. I have to rule it out of order.

1520

DEAF PERSONS' RIGHTS ACT, 1990

Mr Abel moved first reading of Bill 22, An Act to provide for certain Rights for Deaf Persons.

Motion agreed to.

Mr Abel: The purpose of this bill is to ensure that deaf people are not discriminated against when accompanied by hearing-ear dogs being used as guide dogs. This bill will extend to deaf people with guide dogs the same rights now enjoyed by blind people with their guide dogs under the Blind Persons' Rights Act.

COMMITTEE ON THE DIRECT ELECTION OF THE PREMIER ACT, 1990

Mr Elston: On a point of order, Mr Speaker: I noted with some concern that you cut off the member for Etobicoke-Humber when he introduced his bill. Members are able to make brief statements. He had delivered only two or three lines on the principle of the bill. I think it is very usual to allow at least some leeway, particularly when government ministers introduce their bills and have some things to say about their legislation. I see no reason why the member for Etobicoke-Humber could not also have explained his bill just a little bit more fully.

I appreciate that you want things to move along, but from my point of view, to allow a gentleman two or three sentences is hardly sufficient time to provide for first reading and is quite unusual.

The Speaker: To the member for Bruce, I appreciate the point you have raised. The member will also recognize that it is common practice, not from the point of expediency but simply common practice in our procedure, to read only a few lines that introduce the principle of the bill and not introduce anything which could be construed to be argumentative.

It was on that basis alone that I listened intently to the member for Etobicoke-Humber. Once he got beyond the first three sentences, he was then starting to present his arguments on the background information to the bill. I listened equally carefully to the member for Wentworth North, who presented the bill with simply the first lines of principle introduced.

I think all members are mindful of our common practice on how we introduce bills. The first reading is not an opportunity to present anything other than the principle, simply stated.

Mr Elston: I appreciate what you are saying, Mr Speaker, but I really think we will be keeping a good record, then, of the ministers of the crown when they deliver their first readings as well. I know they are also

entitled to make statements and they generally do make statements, and they usually go on for quite some time. It is a bit of a concern that the private member is being restricted to two or three lines after doing a lot of work in preparing his legislation.

The Speaker: The member for Bruce knows full well the Speaker's point of view with respect to private members and the importance of their bills. This may be a mistake on my part, but I am going to allow the member for Etobicoke-Humber to test the chair; Christmas spirit.

Mr Henderson: Mr Speaker, perhaps I may just say on the point of order that I did say, after you made your initial comments, that I wanted only a sentence or two further on the nature of the committee, which is not argumentative. If you will bear with me, it will be exactly two or three brief sentences.

The committee will be directed to consider constitutional and other legal implications of the change in the method of choosing the Premier. It will also be directed to prepare all necessary draft legislation to implement the plan. It will have 18 months to complete its work.

ORDERS OF THE DAY

RETAIL SALES TAX AMENDMENT ACT, 1990

LOI DE 1990 MODIFIANT LA LOI SUR LA TAXE DE VENTE AU DÉTAIL

Resuming the adjourned debate on the motion for second reading of Bill 1, An Act to amend the Retail Sales Tax Act.

Mrs Sullivan: On Thursday last I was speaking to some of the issues involved in Bill 1 and its implementation, particularly those relating to compliance requirements of the goods and services tax, which as we know is a costly, time-consuming, administrative nightmare for most vendors, with the additional compliance and administrative costs associated with the introduction of the new retail sales tax on a different base than is used for the federal GST, and with the different bases for the collection of the tax.

We know from experience in other jurisdictions of some of the singularly striking administrative and compliance costs. In the United Kingdom several studies have been done on its value added tax, which is a tax similar to that the federal government will be introducing. Those studies have shown that the costs of the tax place an extremely strong burden on the vendors. Once again, that burden is particularly complicated when the retail sales tax at the provincial level is placed on the good or the service before rather than after the end price is calculated.

The GST has for some time been clearly recognized as a blow to the province. We have heard, certainly in the House, that the action that has been included in Bill 1 will cost the provincial Treasury \$500 million. It seems to me that there may be some underestimation of what that cost is. I have, to refresh my memory, an article that appeared in the Toronto Star in October 1989, where provincial finance ministers were warning at that time that their treasuries stood to lose billions of dollars under the federal sales tax as a result of the changes made by Ottawa.

I would like to quote from that article. This is from 17 October 1989. It says, "The report drafted last week by provincial deputy finance ministers warns that inflation created by the tax will cut provincial sales tax revenues as consumers' real incomes and spendings are reduced," said the official, 'but more importantly, it will force increased provincial spending for items such as civil service salaries and social programs.'"

That is significant. I wonder if the minister and the Treasurer are willing to direct information to the House, are willing to speak to us openly about whether those kinds of calculations have also been taken into account in their fiscal and economic planning. We have heard about the \$500 million in lost income as a direct result of placing the retail sales tax on the product before the GST rather than after, and we wonder what other prices and increases, what other costs to the province are hidden from us and have not been adequately expressed.

As we proceed in the debate and hear from the minister, I would also like to know more about the impact of this activity on the ISTA, the interprovincial sales tax arrangement. The ISTA is intended to minimize multiple application of provincial sales tax on vehicles which are operated by Canadian carriers in more than one province. We have not heard any word about this at this point. We understand that there will be different methods of application of retail sales taxes in various provinces. Ontario seems to be out of whack in comparison to the other provinces, and of course this kind of interprovincial arrangement is something that can cause significant difficulty when Ontario is out of step.

Under the ISTA a sales tax must be paid to each province where the carrier operates. The system has been devised for carriers to pay tax on a pro rata basis to the various participating provinces based on the percentage of the distance in those provinces. If we look at the goods and services tax, we will see that there are indeed significant implications of the goods and services tax relating to freight services, with inbound and outbound international freight services, with the exception of postage stamps to be zero-rated. Indeed, the RST may apply in some of those situations, GST may be applied on certain aspects of freight services, and I think we need considerable explanation from the minister on how these interprovincial matters will be dealt with.

1530

As well, the ISTA carriers include distances travelled in the United States, as they are calculating their distribution percentages for their interprovincial vehicles. I think these are matters of some concern and will certainly be matters of significant impact when it comes to the administration of the tax, which will be no small matter for the province.

We know that the two kinds of costs associated with collecting a goods and services tax, or in fact any other kind of sales tax, are the administrative costs, which are largely paid by the revenue department that implements the tax, and then the compliance costs, those costs associated with collecting, remitting and accounting for the implementation of the tax, and those costs are paid for

largely by the taxpayers. I think it would be very useful for the minister to provide us with additional details of some of the administrative costs the Ministry of Revenue is expected to bear, first as a result of the GST and, second, as a result of this particular change in the method of collection of the retail sales tax.

I wanted to move on to a section of the bill that has a significant impact on our tourism industry. We certainly know that tourism accounts for a major part of the economy in Ontario. Millions of dollars are directly involved in the tourism-hospitality-convention business, and that industry has significant impact on our heritage conservation, on our environmental conservation activities in various parts of the province.

We know that at a time such as the one we are now in, of significant economic downturn, one of the first areas to feel the brunt of that downturn, to be involved in a slump and to react to the slump is of course the tourism and hospitality business. We see it in cancelled or unbooked conventions, we see it in less frequent business travel, we see it in less frequent utilization of restaurants, and the clear requirement for the whole hospitality industry to significantly pull in its horns and alter its marketing strategy. Indeed, I was struck when I was looking recently at the bankruptcy statements in Ontario to see the incredible number of operations in the tourism-hospitality industry that had entered bankruptcy proceedings recently.

One of the things that has been of singular use to the travel and tourism industry for many years has been the retail sales tax exemptions which were introduced specifically to promote tourism, hospitality, conventions in the province, and the tourism industry generally. They apply to goods which are exported from the country, and there is a rebate for non-resident transient accommodation applied to hotel and other accommodation.

If I could just review: Before 1982, the retail sales tax was not collected from the person who was purchasing goods for export. The vendor supplied the detail to the minister, and that continued until 1984 when a refund program was introduced. In 1978, the retail sales tax on transient accommodation was temporarily removed, and by 1984 a refund program was introduced. That refund program was extended indefinitely in the 1985 budget. I believe the Treasurer, in including the extension of the refund program in the 1985 budget, made that taxation policy very clear, very open and aboveboard. It was visible, it was understood, as were any changes to it.

But I am quite concerned as I read the provisions of the bill which allow the minister to bring about changes in the regulations to those rebates without the public scrutiny available through the Legislature and with no guarantee that the tourism industry, the hospitality industry, the convention industry will be consulted in any way. I think in one discussion, in response to remarks of a previous member, I raised that. I hope the minister will respond to that, and I hope the Minister of Tourism and Recreation, whom I see in the House, will also be pressing the Minister of Revenue for detail about those consultations, which are singularly important for the industry he speaks for and represents in this House.

Another issue on which I think would be useful for the House to hear from the Minister of Revenue relating to this bill relates to the fact that under the previous government we had made it very clear that it was not our policy, and there was a great commitment that there would not be an expansion of the base to which the retail sales tax would apply to bring it further into conjunction with the goods and services tax. We have not heard a similar commitment from this government. We see Bill 1 as a first step in paralleling, and I think it is not only in the interest of this House but also of people throughout the province to know: How far will the paralleling go? Where is this government going to take us in reaching out and embracing the goods and services tax, on which its tax revolt has been remarkably subdued?

We see very much the possibility that ultimately, and in fact probably in the very near future, the goods and services tax will be buried in the total price of a product or service; that is, we will see a tax-included price for most of the goods we buy. That will certainly be the first step the federal government had intended to introduce.

There have been slight changes in that program at this point, but we believe that will come back. In that case, I suggest that this bill, Bill 1, will have absolutely no meaning, or our vendors will be required to do calculations that are above and beyond the call of necessity in order to comply with this particular bill. In fact, the minister will have to revert back to the original position, which was to place the retail sales tax on the final price of the product after federal taxes of whatever ilk or stripe.

As I conclude my remarks, I want to indicate that although it is an extremely unfair, regressive tax, we have seen a great deal of information coming from the federal government relating to the application of the goods and services tax. Some has provided additional confusion. We have seen, for example, that many accountancy firms and legal firms have different opinions of where that tax will in fact apply, where products will be exempt, where products will be zero-rated and so on. But what we have not seen are the implications of this tax change for our retail sales tax vendors, for our retailers and for our consumers on the compliance and the administrative complexities of changes that this bill brings about.

That is something we would like to see. I would like to hear from the minister what kinds of communications programs are planned, what the cost of those programs will be, and when they will be implemented, or if these are simply matters once again under study or pause.

1540

Mrs Caplan: Maybe there's a moratorium.

Mrs Sullivan: There possibly would be a moratorium.
[Interruption]

The Deputy Speaker: Order, please. Would you please remove this man from the gallery.

Mrs Sullivan: As I conclude my remarks, I do want to remind the members of the House of matters we raised at the very beginning of this particular debate. We believe the goods and services tax is an unfair, regressive tax that we do not support, and we have been surprised that the

government which has indicated it will lead a tax revolt against that tax has in fact made as its Bill 1, its first piece of legislation, the harmonizing of the retail sales tax in Ontario with the federal goods and services tax. It has indicated that it clearly expects the goods and services tax to be implemented and it has given up the fight to keep it away.

That concludes my remarks for today. I am looking forward to hearing the response of the Minister of Revenue, particularly on some of the difficult matters in regard to compliance, administration and the interprovincial tax matters I have raised, and the impact on the tourism industry.

Mr Bradley: I am pleased to have the opportunity to participate in this debate on Bill 1, which deals with synchronization of the provincial tax with the federal tax, a tax which the people of this province and the people of this country have clearly indicated they do not want and do not support, despite the very heavy advertising of the federal government at this time, using taxpayers' funds to promote that particular tax which will extract from the Ontario economy and indeed from the Canadian economy a good deal of money from those who very often are the least able to afford it.

I watched with interest the procedure last Thursday as the government brought forward its first bill. There were many who I think did not recognize how one gets a bill through the Legislative Assembly. I know the government wants this bill and a number of other bills passed before it recesses for Christmas and into the new year. What we saw was an endless stream of interventions.

Hon Mr Wildman: We appreciate a full debate.

Mr Bradley: I am sure there will be a full debate, but what we had on Thursday, and I had hoped to conclude my remarks on Thursday, was an endless stream of interventions by members of the government, backbenchers who wanted to avail the preceding speakers of their wisdom, to ask questions, of course, as is their right, and to indicate what instant experts they are on virtually everything said in the House, having been in the Legislative Assembly some two weeks, able to make pronouncements with the kind of expertise that it usually takes two, three or four years for members to accumulate.

We must recognize that how we get a bill through the House is to ensure that we do not have an endless stream of pointless questions being directed to members, or cheap shots at members for the television audience which watches the continuous televising of this House. I would hope we will be able to conclude the debate in that manner, that is, getting the bill through and having any members who wish to speak make their speeches without those unnecessary interventions.

All of this, of course, in dealing with this bill, relates to the fact that the Premier has stated he would like the Ontario Legislature to be a kinder, gentler place. If it is indeed to be a kinder, gentler place, then we must recognize that it requires both sides of the House to ensure that that is the case. I have certainly given an undertaking to members of the government that I am prepared to make it as kind and

as gentle a place as it was during the last session of the Ontario Legislature, when the NDP formed the official opposition and the Liberal Party was the government. I will ensure that I will follow the practices that were followed by the opposition on that occasion, and I am sure that those with memories will know what those days were like.

Mrs Caplan: Weren't they kind and gentle?

Mr Bradley: The member for Oriole says that in fact they were kind and gentle.

Mrs Caplan: No, I asked, "Weren't they kind and gentle?"

Mr Bradley: She asks the question. I should ignore interjections, as the Speaker would properly suggest to me, but the fact is that it was neither a kind nor gentle place. The legislation that was put forward was subjected, as it should be, to scrutiny by members of the opposition, but some of the inflammatory language which was used, some of the tactics which were used are those which the Premier would like not used now. It is very much like the kids who are shoving in the schoolyard and one kid has shoved the other kid 25 times and then suggests: "We shouldn't do this any more. We should end this practice now that I've had my 25 shoves." I can assure members that a passive opposition we will not be when there is a call for the kind of intervention that is necessary to draw to the attention of the public of this province some of the deficiencies which may be forthcoming from this government.

There was another procedure we had to follow when the government wanted to get its bills through, of course. It was very uncomfortable for members of the governing party to keep their silence, but the members of the previous government were compelled when they wanted to get bills through, even though they wanted to make an intervention and felt perhaps that one of the speakers on the other side was being provocative, in the interests of getting the bill through and not having the House sit on Christmas Eve, they held their tongues, and that is very difficult.

Mrs Caplan: Kinder and gentler.

Mr Bradley: The member for Oriole says "kinder and gentler" on that occasion. Looking at the goods and services tax itself, the legislation, the present government appears to be acquiescing to that tax at this time, certainly giving up the fight that we all had anticipated would be carried forward by the Premier and his many assistants. We recognize that the GST itself is going to have a rather devastating effect on Ontario. I think few people would suggest that that is not the case, particularly those of us who sit in this House.

Some would say we have a rather parochial view of the implications of the GST and that indeed it would affect other provinces as well, but I think there is an understanding that Ontario, being the business centre—whether people like it or not it is the business-industrial centre of this country—just as free trade has had a devastating effect on Ontario, particularly in my part of the province where hundreds and now thousands of jobs have been lost as a result partially of the pressures created by and the opportunities created for our American friends. The free trade

agreement was passed by Parliament and ultimately endorsed by the United States and by Canada.

We really see a shift of the burden from those in the corporate sector to those who have to consume products. It is a consumption tax we are dealing with this time, and whether one is rich or one is poor one has to pay that tax. There is a recognition that from time to time there will be cheques coming to certain individuals, but certainly they are not going to be coming to everyone and the time that that cheque arrives might not be opportune to compensate for the fact that we have it.

I think there is a recognition that we have to hire at the federal level a virtual army of civil servants to implement and administer this particular tax, and that will be an additional cost to the taxpayers of Canada at a time when everyone seems to be talking about simplifying things. Certainly the government in Ottawa said a number of years ago that it wanted to make it a simpler situation for taxation and that one of the reasons we have this bill is to attempt to synchronize and make things simpler. It remains to be seen whether that will be the case or not.

1550

Virtually every personal expenditure of individuals in this province will be subject to that tax. It is not only annoying, it is disruptive to small business particularly and, of course, to those who consume from small business. When we think of people even having to get a haircut and paying that tax, we recognize what the calculations are going to do, the annoyance of dealing with an additional amount of money. At a time when it is becoming a very competitive business, we have the administration of that particular tax and the fact that many and various businesses will not just raise their prices the additional amount of that tax but will round it off to an even higher rate. So people will be paying more not only in terms of the tax but in terms of the price to be paid for the service, for the particular good that is being purchased.

It is estimated that the GST will shift the manufacturers sales tax burdens to the consumers to the tune of some \$4 billion in this country. The result will be a \$4-billion reduction in real disposable income when we take into account the GST.

It is estimated that the GST will add some \$8 billion to \$9 billion to consumer costs. We can expect that the reduction in real disposable income will lead to reduced spending and consumption in such things as housing, so we can see that it permeates virtually all of our business undertakings in this province. From the smallest business to the largest business, those undertakings are being affected by the GST.

This is why we would have been hopeful that instead of acquiescing to the GST, we would have seen the crusade that was promised by the new Premier and members of the government to stop the GST. Apparently the only people who are interested in stopping it at the present time, or at least taking direct action to stop it, are the Liberal members of the Senate who are attempting to block it at this time. Whether or not they will be successful one does not know, but that appears to be the only place where there is a real crusade going on against the GST at

the present time. Others appear to have put their tail between their legs and headed off in another direction.

The reason we are concerned about it, of course, is the impact of the GST on such areas as housing. We think we recognize there is always a challenge in housing in a quickly developing society, in an area where the population is increasing quite rapidly compared to other areas. We think of the Metropolitan Toronto area, for instance. The impact of the GST on housing, even with the rebate which is suggested, will bring about an increased cost for that housing.

The GST increases the cost of legal fees and real estate commissions, so we can anticipate resale costs will increase in the future as well. This is a basic item that people want. This is not a luxury we are talking about when we talk about a home. We are talking about something that we hope would be a basic right in our country that people would be entitled to, having worked towards it, that it would be affordable and decent housing and not taxed out of reach of people through a tax such as the GST.

It is estimated that the real growth in Ontario directly as a result of the GST, never mind the other economic forces that are confronting us in this province, will drop by some 0.3% in the first year, that the consumer price index will rise in Ontario by at least 1.5%, that the unemployment rate will rise and that employees justifiably will be out seeking even greater increases in their paycheques to compensate for the fact that they will have to pay the GST.

We will see such groups as sports organizations—and I have been and continue to be very much involved in sports in my own community and to a certain extent in the province—and many people within the sports community are extremely concerned, as in other areas of volunteer activity, about the fact that the GST is going to apply to them and that it is going to be difficult once again to get those volunteers to come forward. People work mighty hard, and for nothing, in sports organizations and other volunteer organizations. When they find that government intervention is to take money away from them, to get its hands on some of the money, to make their job more difficult, some people are inclined to throw up their hands and say, "Well, if the government is this interested in intervening, perhaps it should run it." Fortunately I think we have enough people out there who are willing to continue this volunteer aspect, but they are mighty unhappy about the application of the GST to their area. I just choose that as one specific area.

I think we can anticipate that there will be the possibility that the Bank of Canada may raise interest rates sharply to combat inflation which would result from the GST. The governor of the Bank of Canada is preoccupied with inflation. Whether one agrees or disagrees with him, he is preoccupied with that and therefore he has raised the interest rates, the purpose of which, he says, is to combat inflation.

If we see more inflation generated by the GST, if we see those increases in prices as a result, if we see wages attempting to chase those prices, we anticipate that the governor of the Bank of Canada then would be interested in raising interest rates once again. That has already had a

devastating effect on Ontario and certainly much of Canada. That is an ill-conceived policy, in our view, though I see that Sinclair Stevens, a former minister of the crown, has suggested that one of the reasons we have high interest rates is an unwritten part of the agreement on free trade with the United States, that unwritten part being that we will keep our dollar high, and keep interest rates high as a result, in order that we do not gain an advantage in our dealings with the United States.

Just one figure I would mention to members of the House who may not be aware is that when I visited a pulp and paper company in Thunder Bay at one time to look at the operation, I asked, "What is the effect of one cent on the dollar, when the dollar goes up one cent as compared to the American dollar?" It was suggested that it was a \$17-million cost to that company and of course ultimately to jobs in this particular province.

We see that devastating effect of the GST. We see that it is a tax which is very much opposed by people in our country. Some people are saying that they do not want any taxes raised, they want government to cut. Others are saying, "We would like you to establish priorities and, if there are taxes to be increased, those taxes should be fairly assessed on people instead of ramming through the GST."

I could go into some of the details of this—the former Attorney General would want me to—but I will be a bit restrained because I would like to get to what I see as the action of this government related to the GST. I well recall during the election campaign and previous to that, because I have had the privilege of sitting in this House for some 13 years. I have had the opportunity to listen to the gentleman who is now the Premier of Ontario. Indeed he made some compelling arguments in opposition. In some cases the government of the day was prepared to accept them and in some cases it was not.

Listening to some of these compelling arguments, for instance, I was convinced that Consumers' Gas should not fall into foreign hands. I remember, I think it was back in March, the Premier of Ontario saying on that occasion that the government of the day should never allow this to happen. And there were a lot of people out there who were among the Waffle division of the NDP in years gone by who, I think, looked to an NDP government to be economically nationalistic and to protect us from foreign intervention in terms of increased foreign ownership of something as basic as energy in this province.

But of course when faced with the so-called realities of office, the Premier decided that he would take another course of action and allow Consumers' Gas to fall into foreign hands. Those of us who were hopeful that he would lead the crusade against that when he became Premier, when he had the power, when he had the opportunity, were somewhat disappointed that he did not do so.

Looking at what had happened, we remembered as well the Varsity Corp, the fact that there was a danger that it might go to the United States after all the federal and provincial money that was provided. Now, I had heard the Premier and members of the present government say in years gone by, or at least in months gone by, that in fact this should not be allowed to happen. I thought they were

making compelling arguments, just as they did with Consumers' Gas. I agreed with that compelling argument, and certainly had the previous government stayed in power I would have advocated that. Unfortunately, we found out that Varsity was allowed to go to the United States. A long list of excuses is there. Some of the people who were most vociferous in wanting to retain Varsity in Canada, in not letting it off the hook, were there beside the Premier to apologize for this government, to rationalize this.

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I hope those whose voices were loud in many places in the province in condemning previous governments, be they Conservative a number of years ago or Liberal now, are not going to be muted today, are not simply going to turn themselves into apologists for the NDP. I know many people, for instance in the labour union movement, who simply will reject that particular role of being apologists for the NDP. They are not going to be people who pointed the finger at a Liberal government provincially and a Conservative government federally and then let the NDP off the hook. I am sure that will not happen, although I did hear a couple of people beside Premier Bob, as we like calling him, suggesting that he did the only thing he could with Varsity Corp. But I know too many people out there who are people of principle and will not do that, will not allow the government off the hook.

So I am looking forward to that. This is where it gets me to in this particular debate, the fact that I was looking forward to a crusade against the GST, and the very first thing the government did instead was acquiesce. It said, "Brian, you've got the GST in there." There were a lot of words and the Premier was full of sound and fury. I will not say what that was signifying, as Shakespeare said on one occasion. It looks like we all know what it was signifying. That is unfortunate, because I think we look for the Premier of the largest province, and one who had so much zeal in opposition in the federal House when he was the finance critic for the New Democratic Party and then in the provincial House when he assumed leadership here, indeed to be leading the crusade. But the signal that is sent out to the federal government by this bill being presented to the House is: "Look, folks, we've given up. Brian, it's all yours. We'll make some noise about it. We'll attack you in the paper"—I see that the Premier attacked the Prime Minister in the paper—"but really, when it comes down to action, we're prepared to play ball with you." And that is what happens when we pass this particular piece of legislation.

I had some quotes and I cannot find them. You never find these quotes when you want them. They are important to this debate, very relevant to this debate. I had some quotes from the present Attorney General and the Premier on the GST. I wish I could find them, but it is very difficult.

Mrs Caplan: I have them. Do you want them?

Mr Bradley: Perhaps the member for Oriole can help out and provide the quotes to me. She conveniently has them.

It says here, "For a government that says it would have nothing to do with the GST, this bill demonstrates that the government is going to considerable effort to harmonize its sales tax policy with the new GST." I agree with that statement that the member for Oriole has probably originated herself, but there is a quote here. It says, "This is quite incredible, given Mr Rae's comments on 22 August." I was listening very carefully to those comments, when he said, "We're committed to making taxes fairer by saying from the beginning that we will have nothing to do with the Mulroney tax," that being the GST.

He had this phrase that was quoted very often, and when you are a new government you get away with this without any other suggestions from others that you may be repeating yourself. What was it he said? It was the wrong tax on the wrong people at the wrong time. We saw that on so many different clips from one end of the province to the other, and yet today we see in the House a bill that shows acquiescence to Brian Mulroney.

The new Attorney General of Ontario, the member for Rainy River, said on 3 October—this is even later than the August quote—"Fighting the GST is a major priority of this government."

Finally, in An Agenda for People the Premier stated, "If necessary, Ontario should cut itself loose from the Mulroney tax program, building our own tax plan." I would like to know how this bill does that, because in fact it synchronizes—

Mrs Caplan: Harmonizes.

Mr Bradley:—"harmonizes" is a word that is suggested to me—the provincial sales tax with the federal sales tax.

I am disappointed by that. I would have hoped that some of the fire and brimstone that was always in the NDP—I had many friends in the NDP and still have many friends in the NDP, who are not necessarily members of the Legislature. Some of them are. By the time I am finished speaking I will probably have no friends in the Ontario Legislature on the other side of the House, but that is a consequence, I guess, of being in opposition. But many of my friends who are ardent New Democrats, some of them former teachers of mine, were disappointed, I think, when they saw this pattern of acquiescence to what some people would say is reality. That is what it is.

In effect, what some of us are saying is that the NDP is no different from any other party. Despite the sanctimony, despite the stated principles, the NDP in government is no different from any other party in government in terms of recognizing the realities of government. This is not a harsh criticism of it. It is stating reality. But I guess what was always hard to take was the sanctimony; the feeling out there when you would see Gerald Caplan or somebody on television giving the NDP point of view that somehow he was substantially different from another party in power. Some of the policies are different and I appreciate that and that makes for some reasonable debates, but their style of government is essentially consultation.

I remember the criticism of consultation, that, "Well, you people are setting up another task force," or "You're

consulting for ever." I hear the same words over there. Some days it is difficult. If one were to put a blindfold on in this House, one might wonder if the government had in fact changed, because the only thing that seems to change are the faces making the statements. The statements are the same, the briefing books are the same. The minister reads an answer out of the briefing book that says what some other minister said.

I remember asking a question on gasoline prices, and members will recall that the Premier said "no gouging of the consumer with gasoline prices." I remember asking a question a number of years ago on this, when essentially the answer was the same. And other members asked, not of the Liberal government but even as far back as the Tory government. It is the same briefing book, the same answers. They say, "You must recognize that there's a two-month period where" and so on and, "Yes, we're monitoring," so the answers have not changed, unfortunately. We see the gouging taking place and we see no action, because when they get in power they recognize the ramifications of some of the actions that they were proposing while in opposition, in the good old days when they were in an election campaign.

I appreciate that the rhetoric over there remains fairly strong. The action, though, has abated rather considerably. There is this capitulation to Prime Minister Mulroney, who is the stated enemy of the government of Ontario according to the weekend newspapers, but of course the action is not there.

That reminds me of something else, because it fits in perfectly with this bill, and that is free trade. Something else I heard the Premier say during the election campaign subject to that, particularly after he won, was, "We are not going to implement those parts of the free trade agreement"—FTA as they call it for short form—"which are under provincial jurisdiction," stated with boldness. Of course there was acquiescent nodding by members of the caucus, no doubt. The public was thrilled by this. "Here is a man. He is going to fight the free trade agreement."

I well remember him standing not far from here in this Legislature, ridiculing the previous government, chastising the previous Premier, suggesting something that we never suggest in this House, suggesting that the Premier might be lying. I would not use that terminology because I believe in a kinder, gentler House to a certain extent. But that was what was used over here to the previous Premier over there.

I have suggested a number of flip-flops on the part of this government, but knowing that the rules of this House, for good reason, do not allow that terminology, I would not use that terminology. There must be a presumption in this House that all members are telling the truth, that while we may disagree with what a member is saying, he is telling the truth. But if I went back in Hansard and heard some of the questions and statements coming from the former Leader of the Opposition in this House, I would find something rather different. But I do not want to engage in that at the present time, except to remind members of that.

I remember a member of the cabinet, as I was going out and I was talking to another long-time NDP member, a fairly long-time NDP member, about this, this person said to me, "Well, he was lying," as though in the House, if we think a person is lying, we can use that terminology in the House.

1610

What happens is the debate tends to degenerate in the House when we have those kinds of accusations, so I am not going to suggest that the Premier, who has backtracked on all of these in fact, was trying to deceive the people of the province of Ontario.

I am sure when he made the statements he would like to have implemented them. I am sure in some cases he was not certain or was not sure he was going to be the Premier, so he took a little bit of the licence that politicians can take when they do not think they are going to win an election.

But what is galling is that the NDP was supposed to be different. If I listen again to Gerald Caplan and all the gurus of the NDP, they were different than others. The conclusion I have come to is that they are basically the same as the others, and that is a real condemnation for some members of the New Democratic Party to hear, that perhaps they are the same as the rest of the parties.

The free trade agreement: I can anticipate that the Premier will be throwing a monkey wrench into it and it will be dismantled as a result of his lack of co-operation in implementing it because that is what he said, and I can assume that is going to happen.

Some other things I would like to deal with here are of some importance. I dealt with gas prices. I do not know what that has to do with this bill, but I have dealt with gas prices.

The minister shakes her head, wondering whether this will ever end and whether we can get on to other bills. I used to wonder the same thing, sitting in a similar position over there, but we find out that it does continue.

One of the options open to the government in this recessionary period—by the way, I do not think governments can be criticized for taking certain actions in a recessionary period. It is unfair of some to say: "Well, you're in a recession, therefore it doesn't matter. You still shouldn't run deficits or make huge expenditures."

That is quite all right. I think the Treasurer recognizes that he has to make some additional expenditures in a recessionary period and that the deficit is going to be a consequence of a recessionary period. That is certainly acceptable, and those who say it is not I think are simply not facing reality.

One of the things that could have been done instead of the measure being taken at the present time is that the government could have simply cut the provincial sales tax by one point. Everybody thinks that is 1%. It is not of course. It is substantially more in its impact, and that would have put into the hands of consumers in this province some \$1.1 billion.

I think consumers could probably have made good use of those dollars and cents to ensure that in this province, particularly at this time of year when people are buying gifts, but particularly when they are trying to make some

expenditures in a recession, they would have had a little more money, \$1.1 billion worth, to keep this economy going in a difficult time.

One of the factors we have seen—I do not know whether it affects this particular bill; it may have affected some of the other decisions, so it might affect this bill—was that there seemed to be a change of tone once the Premier and the Treasurer went down to Wall Street on bended knees to plead with the barons of Wall Street, just as they have obviously had meetings with the barons of Bay Street.

“Indeed you don’t have to worry about this government. It isn’t a radical government,” they would say. “It isn’t a socialist government. We don’t use socialist. It’s a bad word. It’s only a social democratic government. We are democratic socialists,” sometimes they might say. They like saying “social democrats.” That is much better. “Business need not fear the NDP.” That was the message on Wall Street and on Bay Street.

I suspect, though this may only be conjecture on my part, that perhaps that has influenced the government decisions, that when faced with the realities of what the people on Bay Street had to say and the people on Wall Street had to say, they decided it is important to keep this triple A rating. It is important to keep them reasonably happy, reasonably assured. But I think there are probably some uneasy New Democrats out there who say, “Where is the reformist zeal of our party now that moderate Premier Bob has met with whoever it is who heads the crew down on Wall Street in the United States?”

We are a bit concerned obviously. Perhaps we will see some changes, perhaps we will not. We are very concerned as well on this side. Again, I want to talk about what was said when people were in opposition and what was a stated principle of the New Democratic Party.

Do members realize there are some people who say that the New Democratic Party is neither new nor democratic? Now I do not believe that myself. I think they are democratic but they are not new. They are new in government, but certainly many of their ideas are not new. When I listen to the ministers give answers to the questions, I recognize that they are not very new.

But what I am concerned about is that we give sweeping powers to the minister to make regulations. One of the criticisms that always emanates from the opposition—whoever is in opposition—is the concern that the government will not rule by legislation, which can be appropriately and in detail debated in this House, but rather that the government will rule by regulation, which can be debated in the standing committee on regulation and private bills of cabinet and in the cabinet itself and then posted on some wall as a *fait accompli*. I am very concerned about that when that happens in this province.

The Premier says we should be more democratic, we should be more open, so I am concerned that we should in fact be allowing for more debate within this House, more input by individual members, be they members of the back benches or the front benches; in other words, non-cabinet members who all have another job and another salary, which is quite nice, thank you. Those are the spoils of

power. It must be nice to see that parliamentary assistants get—how much more do they get than others?

An hon member: \$10,000.

Mr Bradley: Some \$10,000 or something like that. There are so many of them. One minister has three parliamentary assistants. We see those people—I do not know where this is getting me to in this specific case, but we have a new person in the chair whom I want to congratulate. I congratulate the acting Speaker, the member for Perth, whom I have known for a number of years. I do not want her to be unpopular with her own caucus because of that, but I have known her for a number of years. I am very pleased to see her sitting in the chair governing my remarks here today. So I will be extra careful to keep my remarks relevant to the debate which is taking place this afternoon.

Anyway, I was watching this government take a step backwards in the democratic process. Regulations can be every bit as strong, every bit as influential as legislation. Legislation is essentially, as we know, a framework out there. It is very often general; it is not detailed. When I see that the minister can bring to cabinet, for its approval or disapproval, regulations which this House cannot debate, I am extremely concerned because so very often, for a couple of reasons—I happen to believe in the democratic process very strongly, but another reason that I think is equally compelling is that the public and others outside of the public in the province of Ontario do not get a chance to have input into those regulations unless the government sees fit to ensure that this is the case. From time to time, governments have sent out regulations for some comment; very often it does not happen.

So when I hear in the throne speech that we are changing things around here, the way I watch it, things continue to be somewhat the same as they have been or, in this case, it is somewhat of a step backwards.

I know the member for Oriole is eager to get on today to make her—

Mr Scott: No.

Mrs Caplan: I am after him.

1620

Mr Bradley: Sorry. It is the member for St George-St David who is eager to get on at this time. I know that his constituents are eager to see him in action, making the arguments that he makes in such a compelling fashion, and I will yield the floor to him in due course, but I have appreciated this opportunity.

It is really nice to see the government members somewhat acquiescent today in recognition of the fact that they have to get a bill through. I do not want to say it is revenge, I do not want to say it is vengeance, but I so much remember our own members who had to sit through the same thing. Some pretty unfair remarks sometimes emanated from this side—not in this case of course, but in days gone by—and some unkind remarks. The duty and responsibility of the members of the government was to sit there acquiescently.

The Acting Speaker (Ms Haslam): You are straying.

Mr Bradley: Oh, the Speaker has suggested that I am straying from where I was. I might talk about the ramifications then, if I happen to be straying, of a couple of issues and how the GST and the passage of this bill might just affect these issues. The member who sits in the chair will be familiar with these.

One is the moving of the Ministry of Transportation to the city of St Catharines and how this tax, or the acquiescence to this tax, might affect that. As the member will know, there is great support for this in the city of St Catharines. I was certainly delighted when the former Minister of Government Services, the Honourable Chris Ward, made the announcement. The mayor of the great city of St Catharines, as he calls it, Mayor Joe McCaffery, and his council were delighted, the regional council was supportive, even the Thorold council, I believe, gave some support to that.

The member for Niagara Falls, I am sure, was equally enthusiastic to see the Ministry of Tourism and Recreation going to the falls. The member for Lincoln and the member for St Catharines-Brock, I am sure, are supportive of this particular happening.

I look forward to that move to the city of St Catharines because the GST and this tax put together with it, this synchronization that makes the GST easy, might well have an even more detrimental effect on the economy. Therefore, we will need those inflation-resistant jobs—sorry, those recession-resistant jobs—in the city of St Catharines to replace the hundreds of jobs, even now thousands of jobs, that are being lost in the industrial sector in the Niagara Peninsula.

The other thing I was worried about this bill having an effect on was whether or not the Pelee Island ferry would be built at Port Weller Dry Docks in St Catharines. The member who sits in the chair used to live not far from the Welland Canal. She could look out her back window at the ships going by. I am sure she did not have time for that because she was busy in a number of other community activities, but she would know the importance of building the Pelee Island ferry at the Port Weller Dry Docks, which at one time was up over 800 people and now has 30 employees. It is the major shipbuilding centre in the province of Ontario and was a recipient of federal-provincial assistance to maintain its viability not all that long ago, just a couple of years ago.

The member would recognize the importance of having that also built at a union facility where we have a recognized trade union in existence. I know that my friends in the union would like to see this government proceed with—

An hon member: Give us names.

Mr Bradley: The member would like to know—I have many friends in the trade union movement. Unlike some people who might have been born with a silver spoon in their mouths, I come from a working-class family. I was born in the city of Sudbury. My father worked in industry all of his life, he was a blue-collar worker all of his life. When he was unemployed, he was given no notice—not the notice you have today—no notice after 22

years of work in one plant. So I recognize very well the effects of the devastating recession that confronts us. He once worked at Port Weller Dry Docks as well.

Getting back to the specifics, I think it would be wonderful for the city of St Catharines if this government were to follow through on the previous government's commitment to build the Pelee Island ferry at Port Weller Dry Docks, to get people off the unemployment rolls and back on the employment rolls and to give a boost to the local economy.

I promised I would not be overly lengthy on this occasion. In fact, I really thought I was going to finish on Thursday if I had the chance. Unfortunately, we ran out of time on Thursday. But I do hope the members of the government, particularly the minister and members of the cabinet, take into consideration some of the advice that might be offered in my remarks and take into account some of the cautions that have been expressed about the course of action that is being followed. I am looking for a zealous, reform-minded, action-oriented government and I have not seen that yet but I am a very patient person, probably more patient than most people in the province of Ontario.

I thank the members for their indulgence.

Mrs Y. O'Neill: I would like to make a few comments on the statements of the member for St Catharines. I feel, like other members in this House, that he has brought forward some important points, concerns of his constituents, as others of us have brought forward concerns of our constituents. However much some members of the House may not think this is important legislation, people of Ontario think it is important legislation.

I too want to underline, as he has and other speakers have, that with the expansion of regulations for taxation that this bill proposes, we are taking a step backwards. We are moving in a direction that is not expected of this government, a government that has said and continues to say that it is open and that it is in the process of consultation with almost everybody in this province.

This regulation expansion comes at a time when the people of Ontario are asking everybody, from municipal councils to school boards and indeed to this House, to be more accountable. I do hope that on second thought many of the items that are being talked about, particularly those that affect the tourism industry, will no longer be considered to be just regulation points and that we will see legislation that affects the industries that are staple industries within many communities of this province brought to the House to be discussed and debated.

Mr Scott: First of all, before we attend to the details of Bill 1, and I intend to deal with it in a detailed but I hope reasonably succinct way, I think it is important that the new members might want to hear a story which I think informs this debate.

In the riding of St George-St David, there are, as some members may know, three fully formed, equally successful political parties. The NDP, the Conservatives and the Liberals have always had strong riding organizations there, and though the Conservatives seem to win most of the

elections, the Liberals have won now three times and no doubt the New Democrats have it high on their priority list for whatever other elections they may decide to fight. In those organizations there are interesting community people. Having lived there all my adult life, I have got to know most of them.

The NDP executive particularly is an interesting group of individuals and there is one quite senior woman on the NDP executive, whom I will not embarrass by referring to her name unless anybody wants it, who saw me a day or two after the election. She was, as members can imagine, and I am sure as honourable members opposite were, elated at the election of the first NDP government in Ontario. She had devoted her life to this party and had worked hard for it in many elections.

She said she was pleased and I congratulated her. She said, "However, I'm worried." I said, "What?" I thought she would say that she was going to be worried that they had no experience in government and I was going to say, "Every new government has that; not to worry about it." But that is not what she said. She said, "I'm worried that the new government will try to keep its promises." I said, "Why?" and she said: "Have you read them? Some of them are so idiotic." I said to her: "Don't worry at all on that score. You may have other concerns, but I promise you that the new government will not even begin to keep its promises." When I see her next I will be able to tell her, of course, about the three flip-flops in three weeks that the Minister of Community and Social Services, who is here, has been forced to take at the hands of her leader in order to accord some legitimacy to the act of government.

1630

Now I was wrong to say—this will bring me to Bill 1—that the NDP would not keep all its promises; clearly, it is keeping some. When we look at Bill 1, which is the discharge of a promise, the problem seems to be that they are keeping the foolish promises, not the sensible and important ones.

The promise about the way we would respond to poverty was a serious and important promise, and the NDP candidate in my riding was determined that money would not be given to perpetuate food banks. That was a promise they were going to keep, and frankly I was with the NDP when it made that promise. That promise it has now decided to abandon, and this promise in Bill 1 it has decided to keep. So my friend on the NDP executive has a major problem in front of her. They are keeping some of their promises, but the wrong ones.

What is this bill? This bill, when all is said and done, is the tax revolt that the new Premier of the province promised us and nine million Ontarians. This is the tax revolt. This, my friends, is the battlefield. This is the war. This is what Bob Rae—I am not allowed to mention his name—this is what what's-his-name is doing by way of discharging his promise that there would be a tax revolt.

What are there—20 or 25 government members in the House and two ministers? I am elated that the Minister of Community and Social Services is here because I will be able to direct some remarks to her in the course of my references to Bill 1, and there is the Minister of Revenue.

The others are probably out driving around in their cars. I do not know if parliamentary assistants have cars. Oh, we have another minister. Another minister has popped up. That is three. We have three. Where the other 24 are at this moment in the course of the debate, I do not know. Now I see that we have some ministers-in-waiting, so I can address my remarks at least to them.

But this is the tax revolt. When I first came to the House five years ago, I was only in opposition for two or three weeks and so I have not learnt my role as an opposition member, just as some of my new friends opposite have perhaps not learnt their roles as members, but during opposition I was able to see an effective and powerful opposition work. I took a model, and my model is the honourable member for Welland-Thorold. He was the paratypical opposition member. He spoke all night. He got thrown out of the House at every turn by calling people liars and insulting them, and he spoke at inordinate length. I will not do any of the other things he did, but I am going to have to insist, subject to the Speaker's ruling, on my right to speaker fully confronting a bill of this type. The member for Welland-Thorold is my model, and if anybody wants to phone in they can start phoning.

As I said, this is the tax revolt. When I came to the House five years ago and we formed the government after a couple of weeks, the now Premier of the province was sitting right where the honourable member for Oriole is and he introduced me to the technique of parliamentary debate. He accused me of being a hypocrite. He accused the Premier, I believe, of lying, and that was the level of debate that went on consistently for five years. Now, of course, when I dare to repeat that the Minister of Health, in a contemptuous act, told the Alzheimer's clinic to fund itself, I am told by cabinet ministers, "We want a kinder, gentler House."

In other words, in the vernacular, the NDP in opposition could pitch, but it cannot catch and that is the problem that they as new members are going to have to deal with. Some of them seem to have been hit; I have no doubt about that.

Getting back to Bill 1, this is the tax revolt that we were promised, this and one other thing. What is the other thing that the government has done in its tax revolt? It has joined with the province of Alberta in, I believe, an Alberta or Saskatchewan court—they did not want to do it here; it would be too aggressive—in pursuing a piece of really quite hopeless litigation. That is the whole tax revolt.

I remember when our Premier, David Peterson, got up and said he was going to fight against free trade. He did not succeed in that fight, but he stood against free trade all across Canada. He convened, for example, two first ministers' meetings. The first meeting we went to was at Halifax. He called it. The present Premier thought he might have a first ministers' meeting. He got one Premier to support him, and according to his statement the other day he has not even called some of the others yet.

Is that what this tax revolt is all about? Why are we not having a first ministers' conference? Why is the Premier of the day dealing with Bill 1, and not convening a meeting, here in Ontario if necessary, of the other premiers. Is it that if he calls a meeting they will not come? And what does

that say about the vitality of the tax revolt of which Bill 1 is the only apparent symbol?

The fact of the matter is that the promise to conduct a tax revolt was either meaningless or simply could not be performed. I would not say it was fraudulent because that word is unparliamentary, but it was certainly most unfortunate to lead people on the street—my fellow citizens—to believe that the government was serious about doing something that it has not indicated the slightest intention of following through on.

What is in Bill 1? What is in Bill 1 is the reflection of another promise, that they would not permit their government to impose the sales tax on top of the GST. I have no trouble with that as a promise, and God knows it was an attractive promise. Why was it an attractive promise? It was an attractive promise because they thought they could persuade people that they would not be taxed on tax. That is not what is going to happen and everybody knows it. This bill costs half a billion dollars. Is the budget of the province going down by half a billion dollars? No, it is going up. Where is that money going to come from? It is going to come from substantially the people who consume goods by paying tax and by paying sales tax.

If the people out there took the Premier's promise to mean—as I know many of them did—that he was going to save tax for our citizens by a bill like this, that was a promise it is unworthy to keep in this particular way. When the members opposite and I go back to our constituency offices, we will not be able to say to our friends and neighbours when we come in that the NDP has kept that promise. We will say: "Well, yes, the promise didn't actually mean what you people thought it meant. It isn't going to save any tax at all. It just meant that your money was going to be taken out of a different pocket than the one it was being taken out of before." Maybe that promise got a lot of votes for a lot of people—I do not know—but I would not be very comfortable getting votes on the basis of a promise that is as meaningless as that.

If people out there think, as they do, that the government is going to save them tax, they are going to be rudely awakened. Probably the government will develop a tax in its fair tax system that they will not even notice. Then it will be able to get by and assert that it has kept its promise. I am not holding my breath for that day.

The reality is that the lady in my constituency was right. The government made some important promises in the campaign that I support. I think the promises that were made around community and social services were important promises which the public took seriously. The fact that they have abandoned or flip-flopped on three of them, in an exercise of gymnastics that has not been seen in this House in the six years I have been here, will be an embarrassment. The fact that the Minister of Health now, having promised lavish funding, tells the Alzheimer's clinic in Ottawa that it had better fund itself in an act of arrogance that is very difficult to imagine so early in the term of a government, and that is another example.

1640

My neighbour and friend was right. They have made some promises that are stupid; they have made some

promises that are great. Why are they simply keeping the stupid ones? We can do without that. We want the promises that were important and critical and that are meaningful for Ontario citizens to be kept.

As I say, Bill 1 is the first step—I bet the only step—in the tax revolt. This is it. Twenty NDPers came to the tax revolt, two cabinet ministers, no Premier, and I promise that it will be all over after today. This is not only the tax revolt; this is not only the battle; this is the whole war and it is being conducted in a place where the Premier of the province knows it will have no public national impact at all.

Mr Stockwell: It's also the victory party.

Mr Scott: It may be the victory party, except that they are not going to win the tax revolt as the honourable member perfectly well knows. Again, it was a shoddy promise because it persuaded people out there whom I and other members represent that something was going to happen. It would have been fairer and more candid if they had said: "Nothing is going to happen. The GST is a federal matter and we cannot deal with it in the province." But they did not do that. They said that they were going to do something.

Mr Sorbara: That was the truth, though.

Mr Scott: No, that was the truth and everybody here knows that is the truth. As the member has said, I am sure that the Premier has already been asked in caucus, "Well, Mr Premier, how's the tax revolt coming along this week?" and that he said: "Well, we have a practical problem with this tax revolt. We can't do it." They say, "But Premier"—many of them may be on a first name basis with him—"Bob, Bob, but we promised that we would have a tax revolt." "Well, yes, but we're going to have a dramatic event."

The Premier and I were in a dramatic event in honour of the Stratford Festival at the Royal Alexandra Theatre, and I know nobody who knows his lines better and no one who can get away with more in the form of drama than he can. He said: "Because we haven't got the power to do what we said we would do, instead of simply facing up to that reality and telling people, we will pretend we're doing something and the way we're going to pretend is Bill 1. That's going to be the battle. That's going to be the war and then when Bill 1 is passed, we will be able to say to everybody, 'Well, if you look at Hansard, you'll see that we fought the great fight.'"

Look, this is the tax revolt. When was it that a government member last spoke in favour of this bill? They are just going through the paces. They probably have allocations of how many people have to be here every day. They should do their Christmas cards, no better time, but I do not get the sense that any of them are active in a revolt. I think they are going through their paces.

I have been a government member, and as the honourable member for St Catharines says, "The new members"—we were new five years ago—"will learn." What they are learning, I have no doubt now from those proponents of a kinder, gentler government, is that the job—they are discharging it very nicely so far—of back-

benchers as their government envisages it is to applaud. When the applause slackened for a moment today, I could see a rustle, ministers on the front benches saying: "They're not applauding the way they did in the first week. What's wrong here?" Then the whip galvanized into action, "Applaud."

That is what they do. Their understanding is that they only applaud the ministers. They do not applaud us, nor would we expect it, and of course they rarely applaud each other because they know perfectly well that a question presented by a back-bench government member—I know that this is how their system works—is not presented to the minister; it is presented by the minister to the back-bench member. Yes, that is exactly what happens.

I heard a member the other day who obviously had not written his question, and the reason I know that he had not written it is that he accidentally—this is no criticism—mispronounced a word. It was not a word that he would have chosen to use and I saw the vexed look on the minister's face: "This member is not to be trusted to ask a question of a minister. When we are driving around in our cars all day, we expect these questions to be read properly in a good firm voice."

The members are learning, and I want to congratulate them, as we have to learn our new roles. But I ask them to go back to their caucus, assuming there is some debate there—there is none here—and say to the Premier, "Premier, can we really tell the people who sent us here, who are good people, honourable people, honest people, that this is the tax revolt and that when Bill 1 is passed we have discharged the obligation we solemnly undertook?" I think the Premier has to answer that question not for us, because we are in opposition, and not really even for themselves, but for the people who watch television and who watch this, who consciously made a choice in many ridings to elect them and me and our other colleagues. It is an important issue that affects the credibility of the government.

The Speaker is retiring. They have not seen anything yet. The honourable member for Oriole will be up next.

I want to tell my honourable friends opposite that I am pro-government, in this sense: I believe governments need to succeed. I believe the cynicism about politicians in this country and in this province is real, and I believe that cynicism has created a distrust and downgrading of politicians who perform.

I strongly affirm an important and critical role to government. The key to that is credibility, and it is frankly upsetting that the first bill introduced by the new government in the new assembly after the election should be a bill that amounts to such a cruel deception of the people who listened in good faith to those promises, and in particular to this one, that the Premier would lead a tax revolt.

What the Premier is doing now is trying to figure out a way to get half a billion dollars out of the other pocket to replace the half a billion dollars he has given up. He is going to succeed in that.

When the members go home, they can probably answer the other questions their constituents ask them: what it is like, how much the rents are in Toronto, what the

Minister of Housing is up to, all the rest of it. But it seems to me they are going to have a tough time at the end of the day with this one, the tax revolt, and frankly I am glad that they will be answering that question and not me, because I think it is going to be very difficult.

I think the people of Ontario are mature enough that they can understand the circumstances in which this government finds itself. It finds itself a party that did not expect to be elected as the government. There is no shame in that; they should be proud of it and I am sure they are.

The government found that in the course of getting there, it had made some promises that turned out to be either unfair or silly. The honourable member who is the Treasurer faced up to that reality, because he made a promise years ago that he was going to nationalize Inco. He stood up and he said, "I'm not going to be able to keep that promise." I admired him for that. He was not prepared to deceive any of his electors into thinking that he was going to do something that he clearly was not going to do. The Treasurer is in that sense an honourable politician.

I think the tax revolt on the GST is a promise that was silly to make because the government cannot keep it. It is a federal responsibility. The government wanted to make it, of course, in this bill because it saw how offended people were at the GST. It was simply saying, "Boy, if we can start a battle against the GST, hundreds of ordinary people out there who do not understand about the Constitution and the division of powers will say: 'That's my ticket. Those are my boys and girls. I'm voting for them. They're starting a tax revolt on the GST.'"

People came around to me in my constituency when I was running and said, "Are you going to do what Carolann Wright is going to do, start a tax revolt on the GST?" I used to have to say: "I would love to tell you that, but I can't. It can't be done." The reality is that this government will not be able to do it, and whether the members will sleep better having tried with this little bill to pull the wool over everybody's eyes that this is their revolt, their battle, their war, I do not know; that is for them to say.

1650

Frankly, I think the Treasurer was right. I am more comfortable with the answer I gave to my constituents: "I'm sorry, that's a federal matter. I can't, even if I want to, affect whether the Parliament of Canada passes the GST or not."

We will, over the next four and a half years, have other examples of efforts like Bill 1—I must refer to it periodically, Mr Speaker, or I know you will be on me. This government will have other opportunities to try and keep other promises it has made. But do remember what my NDP constituent said to me: "Some of those promises are idiotic, some of them are unworkable, and some of them are quite sensible." The government should not try to keep the promises that are idiotic or unworkable, and it should not try to pretend that it has kept them, as it is doing today. Face up to it, like the Treasurer, and say, "That promise we can't keep," because that is the way, it seems to me, that the credibility of our profession is going to be advanced, when we tell people the truth.

What is happening today with Bill 1 is a charade. There is nothing bad in the bill—I probably am going to vote for it—but the bill is not what it pretends to be. When the government members go back to their constituencies, they will be given a kit—we have all been there—“Achievements of the Government,” and when you look under “R” it will say, “revolt, tax—Bill 1 signalled the government’s tax revolt,” and they will hand this out to their constituents, who will say: “Oh my God, they really are terrific. They’ve started the tax revolt.” When they get back to their caucus, each of them will chuckle a little at how naïve he thinks they were. When they begin to do that, that is the essential weakness which makes it necessary from time to time to change governments, when they begin to say things like, “Fund it yourself.” Those are the things that little by little destroy the credibility of our profession.

What do you say to the patients in an Alzheimer’s clinic who need money to carry the clinic forward in Ottawa? Everybody has friends or relatives who are victims of Alzheimer’s. Everybody understands that the taxpayer has a limit to the amount of tax he can produce. Everybody understands that governments have to make choices, that there are 100 wonderful things you want to do and you can only do one. But the fact is, to say, “Fund it yourself,” seems to me—it may have been a little joke—to exhibit a fundamental flaw, the same kind of flaw that is found in this bill.

There used to be a tradition—and only the member for Renfrew North would be able to tell members about it, because he is the expert on the history of the House—that Bill 1 was a trivial or unimportant bill. The reason that tradition existed from the time of Cromwell was that when the Lieutenant Governor comes in and announces the government’s business, a member gets up and introduces a small bill that has nothing to do with the government’s business to show that the House of Commons or the Legislature was prepared to put the people’s interest ahead of the government’s interest or the crown’s interest. That is why Bill 1 historically has been an unimportant or trivial bill. Now, that practice has been breached from time to time by other governments, and there is nothing unparliamentary in introducing this bill as Bill 1.

Mr Sorbara: Well, it is trivial.

Mr Scott: I am coming to that. The member has to leave my punch lines to me. The honourable member for York Centre should be in York Centre, but he makes the essential point. This is not a trivial bill, but it is a silly bill and it is being dressed up to be something it is not.

Frankly, I would prefer a government that took the hard decisions. I would prefer a government that said, in response to the request of the food banks: “We are not going to fund them. They don’t want us to put money into that. They want us to put money into SARC, take that \$1 million and put it into SARC.” No, it was too easy just to slip them a little money at Christmas, irrespective of the fact that they did not want it, that they thought it was counterproductive and was not in the interests of the

poorer parts of the community which are served by food banks.

That is the beginning of a little kind of corruption which is important. I hope the government members in their caucus will take the ministers aside—because that is their job; if they do not do it, nobody else will—and say: “Look, Minister of Revenue, this bill isn’t what we’re pretending it is at all. Let’s face up to responsibility and realities. Look, Minister of Community and Social Services, we shouldn’t be doing this. I know it’s easy to do it and I know some people will applaud, but when the food banks don’t want it done, we shouldn’t do it. Look, Minister of Health, you don’t deal with an Alzheimer’s client in that way ever if you can be strong and resourceful and determined to take the tough decisions.”

No government is perfect. In the early years, every government thinks it is very close to perfect as the Gallup poll reflects how well people think it is doing. Let me tell the government from experience. They do not think it is doing well. They know it has not done anything yet, and that is why it is high in the polls. The best trick in government is to take the tough decisions. They may not be popular, and the government may be defeated, but there are worse things than being defeated. What is worse than being defeated are little deceptions that are practised on the people who sent us here. They are intolerable.

I got into politics—I will be coming to Bill 1 in a minute, Mr Speaker—as perhaps many members opposite did, with no expectation that I would ever be elected. I simply ran because the party needed someone. The party had not won a poll in the riding for over 20 years and I ran. I knew it would all be over in six weeks. I was thunderstruck when, after 50 years of Conservatives, I was elected. Then I was doubly thunderstruck, because after 42 years of Conservative governments, we had a new one. I remember my mother—she is dead now—saying to me: “Never forget who sent you there and why they sent you. Don’t practise the deceptions.”

I will answer for my sins. I have answered for them already in some parts of the world and I will answer for them in a greater world. As one who is pro-government, as one who wants to see a government survive and do well because it bears on us all, bears on the profession we have undertaken, I am very nervous and uncomfortable at what I see going on now.

I understand dumping on the Prime Minister of Canada. I am no supporter of the Prime Minister of Canada; I think his economic policies are foolish and wrong. But I think the kind of speech that was apparently made last night is going to make working with the Prime Minister of Canada on the issues of national unity extremely difficult to undertake. The Premier of Ontario is not the only player in the field. If I were Mulroney and picked up the paper and saw “Rae at the University of Toronto,” I would say: “Well, if he calls me and asks me to his conference, I don’t think I’m coming. Who’s that pipsqueak who talks like that?” I think the problems of national unity are real, and it behooves this government—I know the caucus members will have it in mind—to respect that there are other players. We may not agree with the

other players. We may not even like the other players. When Mr Parizeau is elected, I certainly will not agree with him. I do not know him; I might even like him. But we are going to have to deal with him.

To indulge in that kind of histrionic exercise for the purpose of attracting an audience is, I think, irresponsible. That is what oppositions do and we can be criticized for it, but it is not what governments are expected to do.

1700

So I encourage the caucus, because there are only two ministers here and I will never get a chance to speak to them—but they are all ministers in waiting, and as these ministers fall, for arrogance or stupid statements, they will take their places. So I get today the opportunity to speak to a future cabinet of the NDP. I say to them, do not allow these little deceptions to go any further. It simply is not the way to achieve credibility. I do not speak as one who has done it; I speak simply as one who observes the scene from here and in my constituency. Each of them and each of us has an important responsibility. Really, if we were being serious about our business here, we would take Bill 1 and say to the Premier and his cabinet colleagues: “If this is the tax revolt, it’s hardly worth even talking about it. Let’s do something new, stand up and say, ‘That promise was foolishly made and can’t be performed.’” I believe the people of Ontario would understand that. I believe they look for that kind of candour. With respect to Bill 1, it induces a kind of sadness in me that they are not going to get it just now from this government.

Mrs Caplan: As I rise to participate in this debate today, I would like to take this opportunity to reflect not only on this Bill 1 but on other Bill 1s, and on events I have experienced since I first entered this Legislature some five years ago. Some of the experiences I have had have been unique to members of this Legislature and others have been experienced by many before me.

I think back to a September night in 1984, when I was nominated as the Liberal candidate in the riding of Oriole. I was very proud of the confidence of the people of Oriole in selecting me to carry the Liberal banner. At that time, Bill Davis was Premier of Ontario and the Progressive Conservative Party had governed for more than 40 years. I remember that night very well, and I remember my speech and my remarks at that meeting. I said to those who attended that I was not running merely to be elected. I had goals and principles and values as a Liberal. There were many things I wanted to accomplish. I said there was much that needed to change in Ontario, and I wanted to be a part of that. I said that I believed that every member of this Legislature could make an important contribution to the democratic process and could make a difference no matter which side of the Legislature he sat on. I said that night that my goal was to join the Liberals as a member of the official opposition. I realized on 6 September 1990 that it had taken me six years to achieve that goal.

Much, of course, has happened over those years. I have had many opportunities, as I said, that I never expected to have. I have had opportunities to make a positive difference to the life and to the future of this province. I never

dreamed that I would be so privileged. It has been an honour to serve. I am aware that only a few people have had the experiences and faced the challenges that I have faced. I am proud of my accomplishments and those of my colleagues and I am very grateful to have had the opportunity to serve the people of this province in government. I am most appreciative of the confidence and the support of my constituents in the riding of Oriole in 1985, 1987 and again in 1990. They are the ones who have allowed me to serve. I have never taken their trust for granted and I say today, as we are debating Bill 1 of this new government, that I never will.

My first speech in this House was on 13 June 1985, just after Bill 1 had been introduced by another new government in this province. I would like to share with members, because I think it is relevant at this time and relevant to this debate, some of what I said then, because I believe that it is even more relevant today than it was then, particularly as we debate this Bill 1.

I said then that we must not lose sight of the fact that our duty is to serve the people who send us here, those who give us this opportunity. I said in 1985 that they are cynical of what some politicians tell them at election time, what some politicians promise them in election campaigns and throne speeches and then what some politicians do to them rather than do for them. I said that night in 1985 that we must restore the public’s faith, that we must move to lower that cynicism, that we must restore trust and confidence. I said then that I was honoured to serve as the new member for the riding of Oriole and that I would serve with vigour and with integrity.

I stand here today thinking of those words. I have served with vigour and with integrity, yet the public today is more cynical than ever. I ask myself why. I think not only of Bill 1, I think of the throne speech of this government. I think of its Agenda for People. I think of the throne speech in particular, which addressed the issues of integrity and cynicism.

Let’s look at why the people of Ontario are more cynical today than ever before. What have our leaders done? The new Premier called Mr Peterson, the former Premier, a liar—not only unparliamentary language, as we know, but untrue. I believe the member for York South knew that David Peterson was not a liar when he said it, but what impact did his accusations on the then Premier of this province have on the cynicism in this province? The member for Nipissing said during a televised leaders’ debate during the recent election that he was the only honest politician. That, I think we all realized, was false, sad and a cynical comment that fuels further the public distrust. I remember some of my constituents laughing. That became the joke. In fact, it fuelled their distrust.

We then saw the New Democratic Party’s advertisements during the campaign. They were not only negative, they were false.

It was revealing to hear recently, on Canadian television, US experts in negative political advertising who studied the NDP campaign. They said they could not have gotten away with that stuff even in the land, our neighbour

to the south, often known as the land of smear and mud-slinging.

How does name-calling and rhetoric restore the faith of the people who elect us? How does Bill 1 restore the faith of the people in this province in their government, which told them one thing during an election campaign and now has the opportunity to show them that it is going to do what it said it would do?

The throne speech, for example, said it was this government's job and commitment, and I quote, "It is our job to address that cynicism and to overcome it." Yet this government continues to back off promises that were made during that election campaign, and comments and statements have been made since then which I think just reinforce that cynicism, which is so clearly a cause for concern of not only myself but many people in this Legislature.

The Agenda for People: Some of my friends and colleagues, some of my constituents are beginning to realize that it was not An Agenda for People at all. It was an agenda for votes.

The Varsity and Consumers' Gas decisions were the beginning. Bill 1 continues. That is portrayed as the tax revolt when in fact it harmonizes retail sales tax with the GST.

1710

We heard the minister stand in this House when the bill was introduced and when questions were asked of her—in fact, she said at page 2409 of Hansard, 5 Dec 1990: "Our party has participated in a so-called revolt. We are participating with the British Columbia and Alberta governments in a lawsuit with the retail sales tax, the GST and how it has been implemented, with the Constitution and stacking of the Senate." Then she said, "We also are doing Bill 1."

That same day in answer to a question the minister said, "We are by no means harmonizing," when in fact we know that this piece of legislation is paralleling or harmonizing the Ontario retail sales tax with the GST. This does absolutely nothing to lower and address the cynicism of the people of this province and of my constituents in the riding of Oriole. They saw the Varsity decision, they saw the Consumers' Gas decision and they say, "Those were the beginnings." I actually had a constituent who said to me, "You go to that Legislature, Elinor, and you tell Premier Bob Rae that talk is cheap."

In fact, one of them said, "He should wash out his mouth with soap."

Mr Elston: Soap?

Mrs Caplan: Yes. Another said, "His halo has been for ever tarnished." They simply are looking at the actions of this new government as opposed to listening to the rhetoric, having read the words. I would say to the Premier and to this new government that if he is to create a sense of integrity in his government and in his party, he must start doing the right thing, doing what he said he was going to do or standing up, like my colleague the former Attorney General has just said before me, and saying very clearly to the people of this province: "We're not going to keep that promise. These are the reasons why. It was dumb. It was

silly. We didn't mean it." If the Premier is not prepared to do that, they will expect that he will do what he said he was going to do.

I say to this new government, to its ministers and to the Premier that they must tell the truth. In order to restore the faith of the people we serve, we must learn from the past.

As I reminisce over the past five years in this Legislature, one of the most difficult and painful periods of my life personally was right here in this House and that was when my personal integrity was attacked. I was wrongly and unjustly accused. My colleagues on all sides of this House knew that I was innocent of any wrongdoing, and I was cleared. The Premier, the then Leader of the Opposition, the opposition NDP, chose to play partisan political games with the issue of integrity then. That did nothing to restore the faith of the people of this province in the then Leader of the Opposition. The actions of the Premier spoke louder than his words. Integrity is doing the right thing rather than the politically expedient thing.

We come now to Bill 1. I recall other Bill 1s. I remember when the government changed in 1985. In fact, we upheld the traditions of this House and Bill 1 was an unimportant, trivial piece of legislation.

I remember that in 1987 we decided to break with tradition and Bill 1 became a symbol of a new government, the first majority Liberal government in quite some time in this province. Our first Bill 1 was the Freedom of Information and Protection of Privacy Act, not a trivial piece of legislation at all. It was a symbol and a signal that in fact we believed in the kind of protection of individual rights and individual privacies that our liberal principles have dictated to us.

So that bill was a significant signal to the people of this province of the actions of their new government. I was very proud of that. This Bill 1 of this new New Democratic government, the first one in the history of the province of Ontario, I see as neither trivial nor unimportant. That may sound contradictory: It is not trivial, but it is not unimportant. It is not a trivial piece of legislation because it is a tax bill. It is not unimportant because it says very, very clearly that the first priority of this new government is taxes. It says very clearly that the tax revolt that we heard about is not a revolt at all. In fact, I would say that some of the members of this New Democratic caucus probably find this revolt a little revolting, because in fact Bill 1 does nothing to send a message to Ottawa except the message that Ontario will harmonize, Ontario will bring in legislation which will parallel the goods and services tax and the government of Ontario is saying one thing to the people and doing something very, very different.

I would repeat those same quotes, because what did we hear from this new government? What were their comments before and then after the government was elected? On 22 August—and this is very significant—the Premier said, "We are committed to making taxes fairer by saying from the beginning that we will have nothing to do with the Mulroney tax, the GST." And what is the very first, the very beginning, the most important thing that this government is doing as Bill 1?

Interjections.

The Deputy Speaker: Order, please.

Mrs Caplan: Thank you, Mr Speaker. As I said, that was the comment from the now Premier on 22 August. And what is the first thing that this new government does? Bill 1, to parallel and harmonize with the GST, that which they said they would have nothing to do with just a few months before.

After the election, on 3 October, what did the new Attorney General, the member for Rainy River, say? He is quoted as saying, "Fighting the GST is a major priority of this government." And so we see Bill 1 as the first piece of legislation. If this is an example of the major priority of this government and its fight against this most hated tax—and it is hated. My constituents hate the GST. My constituents wanted to see the revolt that the Premier was talking about. My constituents were waiting to see what the new Attorney General was going to do and what the Minister of Revenue was going to do. My constituents are not only disappointed, my constituents feel that the credibility of this government has been threatened and compromised. And my constituents are not feeling less cynical; I say with sadness today that they are feeling more cynical.

My constituents have high expectations. They want good jobs. They want a decent place to live. They want safe and secure communities. They want the environment protected for future generations. They want their children educated and ready to meet the challenges of a rapidly changing, highly competitive world. They want good quality health and social services that meet their real and their changing needs. They want public transit, good roads, and they want the Sheppard subway built. They want fair taxation and good value for their hard-earned tax dollars. They demand equality of opportunity and fairness and freedom from discrimination, but they do not want the government to run everything. They want more control over their own lives. They are opposed to the goods and services tax. They expected this new NDP government to lead a tax revolt, and instead they got Bill 1.

I would say that they heard the Premier when he said that this is the wrong tax at the wrong time on the wrong people. They heard that over and over again. What happened to that commitment to fight? We heard, I think, so eloquently from my colleagues, the truth. The truth is that it was not possible for the provincial government to lead the kind of tax revolt that the former leader of the NDP, now the Premier of this province, promised the people of Ontario.

1720

I have some concerns about this legislation. I have some concerns about the fact that the minister can make regulations. We know that regulations do not allow for the kind of scrutiny in the legislative forum, but I would say that I believe on the whole that this piece of legislation is a realistic approach to the reality of the GST. There is very little that this provincial government or any provincial government could do to stop the GST if the federal government is determined to see it through.

I can say as well that my constituents expected more. As their representative in this Legislature, I made a commitment to them during this election campaign that I would serve in their interests at all times and I am pleased, proud and privileged that they have given me the opportunity to participate in this Legislature. As their representative, I will support the government when it achieves the objectives and the desires of the people of this province, when its principles are lived up to in a way which I believe is in the interests of the people of my province and of my constituency. I believe at this time that there are a number of priorities which are going unaddressed in this province. At a time of recession, to have the first bill from this new government as a tax bill I say is a shame as a signal to the people of the priorities of this new government.

As a member of the official opposition, I know that it is quite easy to be irresponsible and obstructionist. I have seen many examples of that over the past five years. My colleague the former Attorney General says he has decided who he is going to take lessons from. I have many to choose from. I have seen many examples, as I have said, of the kind of behaviour which I would consider as both irresponsible and obstructionist in this House. We have heard of the call for a kinder and gentler Legislature and I would suggest to some of the members of this new NDP caucus who believe their own rhetoric that they review some of those tapes and see some of that behaviour. I can see the gag order is on as well. The only thing they are permitted to do is applaud. I know. I am waiting. I suspect I will wait a long time.

I believe that it is easy to be irresponsible and ineffective. I think it is probably also easy to be irresponsible and effective. I think it is probably also quite easy to be ineffective and responsible. As I serve in opposition in this Legislature, I will strive to be responsible and effective in this House on behalf of my constituents in the riding of Oriole. I will strive to serve with dignity, to make my constituents and most especially my children proud of me. I will serve with vigour and integrity in the future as I have in the past.

But I want to share with members today as we discuss Bill 1, this first piece of legislation from this new government, that I do have a new goal. It is different from the one I set on that September night in 1984. It is that my Liberal colleagues and I, those who are here and many of those outstanding and dedicated men and women who have served before, will once again have the confidence of the people of Ontario and be given the opportunity to serve the people of Ontario in government.

Mr Daigeler: I must say, even though I had not planned to comment, I was really impressed and touched by the words that the member for Oriole used. I think that she has put forward in very eloquent terms and very sincere words what all of us are about in this House or should be about. She has obviously reflected on her remarks not only in the last few hours and she spoke from an experience of long political service and of long service to the public.

I think that all members of the House, especially the new members, would do well perhaps to re-read Hansard and look at the remarks that the member for Oriole made and write them into their scrapbook. I for one will certainly get myself a copy and from time to time re-read those remarks because I think they were very well chosen and very appropriate to the life of each member of this House. I just would like to congratulate the member for Oriole on her remarks.

Mr Cousens: Why they let the member for Nepean follow the member for Oriole is just beyond me, with the words that he uses such as "eloquent" and "scrapbook" in regard to the words we just heard from the former Minister of Health, who is now going on orating away and saying the very things that she would probably do if she were in power. I cannot believe the transformation of my dear good friend the member for Oriole. It is just amazing the flip and the flop. Today, I think she has misflipped, and it is a flop.

Interjection.

Mr Cousens: No, they agree with me, and I agree with them for a change.

You cannot use some of the words I want to use in the Legislature because they are not allowed. The moment you say some of them are hypocrites, you are passing judgement, and I would not want to do that. That would be absolutely wrong and foul and mean-minded.

But there is something the matter with the way this Liberal was talking about what is going on in Ottawa. Look at what is happening in Ottawa. Everybody complains and complains, but the Liberals and the New Democrats in Ottawa wanted to get rid of the 13% federal sales tax and they wanted to have another tax in there. Then someone comes along who introduces it—not just perfectly, but anyway introduces it—and all they could do is beat him up. Here we see the member for Oriole beating up poor Brian Mulroney and beating up the poor Conservatives.

I will tell you, you cannot do it that way, Elinor. You have got to start having a little bit more—

The Deputy Speaker: Please refer to the member by the riding.

Mr Cousens: I meant to, Mr Speaker.

She really should not do it that way and she should be a little bit more balanced in her view, and I am sure that if she stays in opposition a little longer, she will have much more balance.

Mr Scott: I have some comments to make on the speech, but before I make them, I really think the honourable members who are new will be fascinated to hear the honourable member for Markham say that something is beyond him. They will find that that is quite a common experience, and he will have many occasions over the next four and a half years to use those lines. We all sympathize with him and will do our best to help him, as I am sure new members will.

I just want to make this observation. Has it occurred to members sitting over there that the only person attracted so

far to their tax revolt is a Conservative? What do they draw from that?

Ms Haslam: Smart.

Mr Scott: If Lady Perth thinks smart, she has a major problem. There is no question about that.

The reality is that if the only people who see any merit in the NDP tax revolt are members of the very party that has brought us the GST, does that tell the members opposite anything? Does that ring any bells? Does that encourage them to think again about this tax revolt? They are getting supporters all right. The Conservatives are supporting them, and Brian Mulroney must be just laughing all the way to the tax collector's office with the performance that is being put on with this Bill 1.

When the honourable member for Markham, who is a very good friend of mine, supports one of their initiatives, they have got a major problem.

1730

Mr Elston: I just want to rise and indicate that I agree fully with the comments made by the member for Oriole. I was distracted somewhat by the member for Markham and by several other of the Tories here just a little bit to my left—

Mr Cousens: We're to your right.

Mr Elston: —although philosophically they are definitely to the right. Socially these people do not care. They do not care about the people of the province. They have their own crosses to bear, and we will let them go ahead.

It is really passing strange in this House that, when we speak about a tax which is about to afflict the people of this province in a way which is unimaginably cruel, the party here, which cherishes its tradition as being the party running against heavy tax impositions, has remained quiet and, I do not know, surprisingly quiet during this debate. They should have been standing, talking about how they would have the taxes of this province reduced. They would have been much better had they said, reasonably and up front to the people of Ontario, that this goods and services tax is a bad tax and that they would support the NDP in its tax revolt if there was a real tax revolt led by the NDP in this province.

Like the member for Oriole has said, there is a real lack of leadership in this province when it comes to bringing forth those good economic policies which would alleviate the disastrous effect that the GST will have for a lot of people in this province, and how men and women in this province suffer layoffs—unlike in 1981 when they were seen to be temporary—but when they will become permanent as places are moved from Perth county to Kentucky, from Windsor to the middle of Ohio, from Wingham to other places in New York state. When all of those things are happening, when there is a real need for a revolt which would reduce the incidence of tax in this province, there is no response from the NDP, and that is shameful.

Mr Ramsay: It is an honour to stand in my place and to follow the powerful, rational arguments of the member for Oriole, and also the tremendous eloquence of the member for St George-St David, which I must also say

is certainly welded to an intellectual rigour and vigour that is not seen that frequently in this House.

I am to speak here to this document, and I think the people out there watching on television should see this document entitled, "Bill 1, Projet de loi 1". I think the people should realize that this is the charge, this is the crusade that this government has spoken to. This paper is the charge that is going to take on the GST for the people of Ontario.

All of us here have said this afternoon that this paper is totally inadequate in that charge. It is not going to be able to do that. What this relates to is very much the strategy that we have employed over here on this side of the House in the last couple of weeks in dealing with this new government that the people of Ontario duly elected on 6 September.

What we have done, day in and day out, is basically compared the Agenda for People that this party had set out as what it wanted to do if it was duly elected for the people of Ontario. What we see, as the member for Oriole has said, is that basically that was an agenda for the election. It certainly was not an agenda for government. It certainly is not an agenda for the people of Ontario because, day in and day out, we see this government reneging on that agenda. There are some very good ideas in there and there are some very impossible ideas in there. I think as this party has now assumed the responsibilities of government it has started to realize that there is much in this document, no matter how well intentioned, that is absolutely impossible to carry out.

I would say to the people in cabinet and the backbenchers who are here—upper and lower benchers as they are now being referred to—that they should get this over with. They should just say, "Well, you're right, we can't accomplish this and we've got a new agenda here now that we're in government." But no, they still say that they ran on this agenda and they are going to go forward with it.

Yet every day in question period and through other activities of the House, when we confront this government with this agenda, it ends up backing away from these promises. I think that that is a shame, especially when this Agenda for People admits that there is a recession here in Ontario. It knew in the summer—in fact, we all knew this summer—that Ontario was entering into a recession. This government is starting to approach that recession very, very slowly and quite inadequately for the acceleration of the downfall of this economy.

Keynesian theory would tell members, as many on this side of the House would agree, as this government is adopting, that a time of recession is a time to spend. I think it is very laudable for governments to embark upon capital works, as this government is intending to do, but these capital works cannot be and are not being put in place soon enough for our needs. They are not being initiated soon enough to help this economy and, more particularly, to help the people of our province, the families, the working men and women who depend on those breadwinners in those families to keep sustenance on the table.

There is one thing that this government could do and it relates very closely to Bill 1. There is one thing that they

could do that would really kill two birds with one stone. They could help the people of Ontario alleviate the terrible burden that the federal GST is going to bring upon the people of Ontario and at the same time help Ontario on to recovery from this recession. That one thing was talked about by our party this summer during the election, and that is to lower the sales tax. That would be a good idea at this time. I think it would be an excellent idea.

If this government is complaining about the extra 7% on all goods and services that the federal government will be charging the people of Ontario and every citizen of this country, then would it not be timely to reduce the Ontario sales tax? It would not only help to alleviate that extra charge that everybody is going to have to bear that is going to further hurt the economy of this province, but at the same time it would help the economy because it would stimulate expenditures. It would stimulate consumer spending. Besides lowering the cost of goods for people in this province by doing that, people will also have more coin in the realm; they would have more coins in their pockets and they would be able to keep spending that and buy other things that they need for their families. This would certainly stimulate the economy.

Some would criticize that there are a lot of goods manufactured offshore, that somehow we would not get the benefit of that because if we are buying electronic goods produced in Pacific Rim countries, where is Ontario going to benefit from that? There is nothing wrong with being a little creative. You do not just have to do across-the-board cuts in a sales tax.

Like a previous government of this province years ago—and I admit it was a Conservative government—when it wanted to stimulate the Ontario economy, it removed or reduced at different times when it embarked upon this course the sales tax on automobiles that were manufactured in this province. That was an excellent idea. What that did was accelerate the sale and purchase of automobiles manufactured in this province, and of course what that did was keep the men and women on the assembly lines and in the parts factories of this province.

That would be an excellent idea, and I find myself in opposition wanting to be constructive. I am putting this idea forward for this government to consider. I think that the days when the role of opposition was to be truly and solely negative are over. I think in opposition we should be constructive and we should put forward ideas. I pass that idea along to this government as something that I think it should be considering. They would alleviate that burden, that extra 7% that everybody is going to be paying on the GST and they would be helping to stimulate the economy of Ontario, especially in southwestern Ontario where we are solely dependent, just about, besides agriculture, on the automobile industry.

It is a bit of a shame that so much of our economy is so dependent upon the automobile industry, and so as government we have to work towards helping to stimulate that. We would all like to see more energy-efficient automobiles such as we are building today on our roads and highways, and so I think that there would be an environmental impact

to this also. I would ask that this government give that idea careful consideration.

1740

I have some doubts that this idea would be accepted. I have some doubts because I fear that this idea did come from that side; it was the Liberal government that put forward this idea during the election as a way to help alleviate the economy, as we all saw the recession coming. In fact, the leader of the New Democratic Party, now the Premier of this province, this summer railed very strongly against this. Again, this is why I fear that this positive idea put forward in the best interest of the province of Ontario will not be accepted. I hope it will be and I hope the Premier can forget that he felt we were buying votes and then, as he said later, renting votes. This is a constructive idea that would be very positive to help secure and rebuild an economy.

There is no crusade here in Bill 1. Bill 1 basically is a harmonization of our sales tax with the GST. That is something this party will not stand for.

The Deputy Speaker: Questions or comments?

Mr Mahoney: Thank you, Mr Speaker, now that you have seen that there is no one else in the House at all.

I would like to compliment the member on his speech, but before I address that speech—

Mr Sorbara: You're here. Maybe it's because you're here.

Mr Mahoney: The member can stand up in a moment, if he would like.

I just want to pay tribute to the member for Niagara South, who has obviously cracked the whip so substantially in the NDP caucus that she has actually put the seals to sleep. I am really disappointed that has happened.

Here comes the Minister for Cowboy Boots again, just strutting in here.

Hon Mr Kormos: You bored these people to death.

Mr Mahoney: Why does he not have a seat? He should not hit himself in the back with the door on the way out.

I think the whip has done a marvellous job. She has settled the members down. We do not even hear the member for Oxford up chirping away too much. It is very disappointing.

I want to take the members opposite through a scenario that is happening to them right now. Picture this: You go to bed quietly at night, you climb into bed, you pull the comforter up and you just snuggle down to sleep. You wake up in the morning and you turn over and there is the member for Markham who climbed into bed with you.

The Deputy Speaker: Order. I do not know what you are saying has to do with the GST.

Mr Mahoney: Actually, I am not sure I know what anything these people are talking about has to do with the GST. The point of the matter is that at the same time as this member has climbed into bed with these folks, these folks have climbed into bed with Mr Mulroney, which is absolutely unbelievable.

We have heard people talk in this House about being a tax fighter. They even named a bus recently Taxfighter 1. Where is the taxfighter now? Instead, what they are doing is agreeing with the policies, and then he sends Robin. He calls himself Batman and he sends Robin into the House to fight his battles. I do not think he is succeeding at it.

Mr Grandmaitre: I will be very short because I know my friend will want to take over.

When I look at Bill 1 and I look at the Minister of Revenue, I can just see her on the day when the Treasurer and the Premier of this province said: "Now deliver. You are the sacrificial lamb. You are the puppet of this government. Now deliver this piece of legislation." I know that the minister must have lost sleep that night. She did not? She should be ashamed of herself because the Premier, her leader, for weeks and weeks and even months in this House criticized the GST, not only the piggybacking of it but the GST, and now everybody is on the minister's side because she has received direct orders.

Mr Cousens: You're disturbing our sleep.

Mr Grandmaitre: The member for Markham is disturbing me, Mr Speaker. Would you ask him to please sit down? As members know, the third party is supporting the GST in this province. They have lost control of their bus.

Mr Stockwell: Until it hits a Liberal, there's no skid marks.

Mr Grandmaitre: This member is not even sitting in his seat. I think he should be moved. If he wants to disturb us, he should be sitting in his seat.

I have heard the leader of the government criticizing the former Liberal government for supporting—we were supposed to be supporting the GST. In fact, we have been against the GST. But the leader of the government said that he would kill the GST and now he is supporting it.

I support my colleague who proposed a solution to the burden of the GST, the take-back, taking back a point on the retail sales tax. This would add \$1.1 billion to the economy of this province. I think this would be a way to fight the loss of jobs, the close-downs and the bankruptcies that are taking place in this province. That is the way we have to fight GST and that is the way we have to fight taxation in this province, but now they are backing away. I sympathize with the Minister of Revenue, because she has no other way of excusing herself. She has to carry the can and the can is called GST.

I do not think the NDP was serious in August when it said that it would abolish the GST, that it would not co-operate with the federal government. So I suppose now they are in bed with the Prime Minister of Canada. I will not mention his name, because people might scrap my notes.

Mr Mahoney: His initials are Brian Mulroney.

Mr Grandmaitre: The Prime Minister of Canada.

Le temps est limité, alors je veux simplement souligner le fait que, durant l'élection du mois de septembre, surtout au mois d'août, j'ai entendu à maintes reprises dans mon comté les étudiants de l'Université d'Ottawa qui critiquaient la candidate néo-démocrate qui, elle, répétait à pleine bouche tous les jours que son chef — le premier

ministre à venir — était pour abolir la TPS parce que la TPS affecte surtout les étudiants et les étudiantes au niveau universitaire.

Alors, ce que nous avons entendu au mois de juillet et au mois d'août... Je n'emploierai pas le mot «mensonge» parce que c'est un mot qui n'est pas permis en Chambre, mais il a été souvent employé par le chef et les députés du Parti néo-démocrate. Je n'emploierai pas ce mot-là. Mais, par contre, je dois dire qu'on n'a pas toujours dit la vérité.

Aujourd'hui, on se sent coincé et on accepte volontairement l'application de la TPS en Ontario et partout au Canada.

Le premier ministre de l'Ontario recommande une rencontre avec ses neuf collègues et le premier ministre du Canada pour parler de l'économie. Il semblerait que le premier ministre a une solution aux problèmes auxquels l'Ontario fait face — il devrait avoir une solution. Pourtant, j'assiste tous les jours aux séances à la Chambre et j'écoute attentivement les paroles du premier ministre et jamais il n'a parlé d'un plan pour réduire le taux de chômage en Ontario. Alors, qu'est-ce qu'on a entendu au mois de juillet et au mois d'août au sujet de la TPS et de toutes les autres promesses électorales qu'ils ont faites? Je n'emploierai pas les mots «c'étaient des mensonges», parce que ce n'est pas parlementaire, mais ce n'était pas la vérité.

We find ourselves today with the very difficult task of accepting Bill 1, a bill that will destroy thousands and thousands of families in Ontario, that will kill jobs in Ontario. The NDP government is accepting this, yet it is supposed to have a program to compensate people who have lost their jobs and also to assist small businessmen to get back on their feet. I think that over the next four years, we will hear these kinds of promises from that government but we will never see them in legislation. The GST and the NDP in Ontario are a disaster.

1750

Mr Sorbara: I, like my colleagues, am very pleased to have an opportunity to participate in the debate. I guess I regret that the members of the government party are not participating in the debate.

Mr Mahoney: Neither are the Tories.

Mr Sorbara: Nor, of course, are the Tories, as my friend the member for Mississauga West points out. It is interesting for all of us who have been here in the House for a little bit that the very first bill the NDP puts before this Legislature in its very first session of Parliament, the first time the NDP has formed the government in Ontario, is indeed a tax measure—an interesting tax measure, given the rhetoric we heard from NDP members during the campaign. I could not be more eloquent on the question of tax revolt than my friend the member for St George-St David. What is most surprising to me is the docility of the government members.

I remember back in 1985 when our party was called upon to govern. As the member for St George-St David said, none of us expected it to happen. Most of us ran—those of us who were not incumbents, certainly—on the basis that there was a slim possibility that we would be

elected in our ridings or no possibility at all. Then lo and behold, on 2 May 1985 it turned out that we had almost enough members to form a government, 48 members, while the incumbent Tories had 50 members. Everyone, even those who were not sitting in the House at that time, remembers what happened.

There was a great deal of excitement around this place at that time. There was a sense that things really were going to change in Ontario after some 42 years. I think, Mr Speaker, you were here at that time. You recall the degree to which, in every corner of this building, in every office at Queen's Park, there was a sense of dramatic change. There was change. There were dramatic policies brought forward. I remember the first bill we brought forward when we were called upon to govern, 26 June 1985. We brought forward an historic bill, a bill finally to complete the funding of the separate school system in Ontario, a matter that had been a great debate during that election campaign, a matter that the previous Premier in Ontario, Bill Davis, had made a commitment on, to the surprise of most of his Tory caucus. The NDP seemed to be supporting it, but it was something for which our party had campaigned for a number of years. So we began with that bill, a very exciting time, I believe, for the province, for the government and, I think, for the people of Ontario.

I compare that with the first initiative brought forward by a New Democratic Party government—a tax bill, really an insignificant tax bill, a bill that replaces a commitment to make a real difference on this terrible question of the GST.

The reason I raise that point is because I will confess that as a result of the realities of 6 September 1990 and the fact that our government was defeated and a new government elected, there was a real sense in the province once again—you could feel it in the street when you talked to your constituents—that my God, things were going to change, that the NDP was finally called upon to form a government in Ontario. This was dramatic. Here was this young, boyish-looking leader of a political party who was out to change the world. He was going to make a real difference on taxes. He was going to lead a tax revolt. He would make a difference. He was going to tax the corporations a minimum 8% of their income; absolutely that had to come in right away. On the question of the GST he would be the leader of the charge. It would be from him that the clarion call would come and we would defeat this dreaded GST.

I can imagine the surprise of my friend the Minister of Revenue when she was called upon to actually take up that position. It is interesting: there is a little article in the Sudbury Star. Just as the government members did not expect to form the government, the Minister of Revenue, the member for—I guess it is Thunder Bay. No, I am sorry, it is the member for Sudbury.

Mr Mahoney: Port Arthur.

Mr Sorbara: The member for Port Arthur was interviewed by the Sudbury Star about her appointment to the cabinet, and the journalist Pauline Johnson asked her what it felt like to be in cabinet. She said: "Wonderful, great.

This is something. I was so surprised. I thought my chances were slim of getting a cabinet position because there were so many northern representatives." She was surprised. She said as well that she did not know why the Premier chose her for that particular job, the job of Minister of Revenue. She said: "I guess he knows that I'm a very determined person and that I'm quick to learn. We had interviews with Bob Rae"—I do not know who the "we" is, but she said, "We had interviews with Bob Rae."

The Deputy Speaker: Would you please refer to Bill 1?

Mr Sorbara: She said, "I guess he saw that I had the skills to do it and that he would support me." And there she is in cabinet.

I say to the Minister of Revenue as she introduces Bill 1, as I say to the other members of the government caucus, that it is not enough just to have been appointed to cabinet. To be appointed to cabinet is indeed a great honour and those of us who had the privilege to serve in an Ontario cabinet for five years feel to a person that there will never be any greater honour that could be bestowed on us.

But it is not enough to be appointed. The minister has to do something, she has to make a difference. She cannot just get a message from David Agnew's office that it is time to initiate the tax revolt with a bill. She has to fight for something. She has to be able to go to cabinet and say to the Premier and to her colleagues around the cabinet table: "This is not enough. We want to do more, because what we have in the bill simply does not respond to what we said during the election campaign."

It is not enough to sit there at a cabinet table and defer to the powers. That is not what our democratic system is all about. Our system has to do with fighting for the people who elected her, not simply responding to Ross McClellan. He has a very important job now—he is running the Premier's office—but he did not elect her. He did not go to the poll. He probably was not even up in her riding during the election campaign. I tell the Minister of Revenue that she won that riding by herself and with the ideas she brought to the people of Port Arthur during the election campaign.

On motion by Mr Sorbara, the debate was adjourned.

The House adjourned at 1800.

ALPHABETICAL LIST OF MEMBERS
(130 seats)

First Session, 35th Parliament

Lieutenant Governor: Hon Lincoln M. Alexander, PC, QC

Name of member	Constituency	Party	Other responsibilities
Abel, Donald	Wentworth North	NDP	
Akande, Hon Zanana L.	St Andrew-St Patrick	NDP	Minister of Community and Social Services
Allen, Hon Richard	Hamilton West	NDP	Minister of Colleges and Universities, Minister of Skills Development
Arnott, Ted	Wellington	PC	
Beer, Charles	York North	Lib	
Bisson, Gilles	Cochrane South	NDP	Parliamentary assistant to the Minister of Mines, parliamentary assistant to the Minister of Northern Development
Boyd, Hon Marion	London Centre	NDP	Minister of Education
Bradley, James J.	St Catharines	Lib	
Brown, Michael A.	Algoma-Manitoulin	Lib	
Buchanan, Hon Elmer	Hastings-Peterborough	NDP	Minister of Agriculture and Food
Callahan, Robert V.	Brampton South	Lib	
Caplan, Elinor	Oriole	Lib	
Carr, Gary	Oakville South	PC	
Carter, Hon Jenny	Peterborough	NDP	Minister of Energy
Charlton, Brian A.	Hamilton Mountain	NDP	Parliamentary assistant to the Minister of Energy
Chiarelli, Robert	Ottawa West	Lib	
Christopherson, David	Hamilton Centre	NDP	Parliamentary assistant to the Minister of Economics
Churley, Marilyn	Riverdale	NDP	Parliamentary assistant to the Minister of the Environment
Cleary, John C.	Cornwall	Lib	
Conway, Sean G.	Renfrew North	Lib	
Cooke, Hon David S.	Windsor-Riverside	NDP	Minister of Housing, Minister of Municipal Affairs
Cooper, Mike	Kitchener-Wilmot	NDP	
Coppen, Hon Shirley	Niagara South	NDP	Minister without Portfolio, Chief government whip
Cordiano, Joseph	Lawrence	Lib	
Cousens, W. Donald	Markham	PC	
Cunningham, Dianne E.	London North	PC	Chief whip
Curling, Alvin	Scarborough North	Lib	
Dadamo, George	Windsor-Sandwich	NDP	Parliamentary assistant to the Minister of Transportation
Daigeler, Hans	Nepean	Lib	
Drainville, Dennis	Victoria-Haliburton	NDP	Parliamentary assistant to the Minister of Citizenship
Duignan, Noel	Halton North	NDP	
Elston, Murray J.	Bruce	Lib	House leader
Eves, Ernie L.	Parry Sound	PC	House leader
Farnan, Hon Mike	Cambridge	NDP	Solicitor General, Minister of Correctional Services, minister responsible for the provincial anti-drug strategy
Fawcett, Joan M.	Northumberland	Lib	
Ferguson, Will	Kitchener	NDP	Parliamentary assistant to the Minister of Municipal Affairs
Fletcher, Derek	Guelph	NDP	Parliamentary assistant to the Minister of Consumer and Commercial Relations
Frankford, Robert	Scarborough East	NDP	Parliamentary assistant to the Minister of Health
Gigantes, Hon Evelyn	Ottawa Centre	NDP	Minister of Health
Grandmaître, Bernard	Ottawa East	Lib	
Grier, Hon Ruth A.	Etobicoke-Lakeshore	NDP	Minister of the Environment
Haeck, Christel	St Catharines-Brock	NDP	Parliamentary assistant to the Minister of Colleges and Universities
Hampton, Hon Howard	Rainy River	NDP	Attorney General
Hansen, Ron	Lincoln	NDP	

Name of member	Constituency	Party	Other responsibilities
Harnick, Charles	Willowdale	PC	
Harrington, Margaret H.	Niagara Falls	NDP	Parliamentary assistant to the Minister of Housing
Harris, Michael D.	Nipissing	PC	Leader of the Progressive Conservative Party
Haslam, Karen	Perth	NDP	First Deputy Chair of the Committee of the Whole House
Hayes, Pat	Essex-Kent	NDP	Parliamentary assistant to the Minister of Agriculture and Food
Henderson, D. James	Etobicoke-Humber	Lib	
Hope, Randy R.	Chatham-Kent	NDP	Parliamentary assistant to the Minister of Community and Social Services
Huget, Bob	Sarnia	NDP	
Jackson, Cameron	Burlington South	PC	
Jamison, Norman	Norfolk	NDP	Parliamentary assistant to the Minister of Industry, Trade and Technology
Johnson, Paul R.	Prince Edward-Lennox-South Hastings	NDP	Parliamentary assistant to the Chairman of the Management Board of Cabinet
Jordan, Leo	Lanark-Renfrew	PC	
Klopp, Paul	Huron	NDP	Parliamentary assistant to the Minister of Agriculture and Food
Kormos, Hon Peter	Welland-Thorold	NDP	Minister of Consumer and Commercial Relations, Minister of Financial Institutions
Kwinter, Monte	Wilson Heights	Lib	
Lankin, Hon Frances	Beaches-Woodbine	NDP	Minister of Government Services, Chairman of the Management Board of Cabinet
Laughren, Hon Floyd	Nickel Belt	NDP	Deputy Premier, Treasurer of Ontario and Minister of Economics
Lessard, Wayne	Windsor-Walkerville	NDP	Parliamentary assistant to the Minister of Financial Institutions
MacKenzie, Hon Bob	Hamilton East	NDP	Minister of Labour
MacKinnon, Ellen	Lambton	NDP	
Mahoney, Steven W.	Mississauga West	Lib	Chief whip
Malkowski, Gary	York East	NDP	Parliamentary assistant to the Minister of Citizenship
Mammoliti, George	Yorkview	NDP	Parliamentary assistant to the minister responsible for the provincial anti-drug strategy
Mancini, Remo	Essex South	Lib	
Marchese, Hon Rosario	Fort York	NDP	Minister of Culture and Communications
Marland, Margaret	Mississauga South	PC	
Martel, Hon Shelley	Sudbury East	NDP	Minister of Northern Development, government House leader
Martin, Tony	Sault Ste Marie	NDP	Parliamentary assistant to the Minister of Education
Mathysen, Irene	Middlesex	NDP	
McClelland, Carman	Brampton North	Lib	
McGuinty, Dalton	Ottawa South	Lib	
McLean, Allan K.	Simcoe East	PC	
McLeod, Lyn	Fort William	Lib	
Miclash, Frank	Kenora	Lib	
Mills, Gordon	Durham East	NDP	Parliamentary assistant to the Solicitor General
Morin, Gilles E.	Carleton East	Lib	Deputy Speaker, Chair of the Committee of the Whole House
Morrow, Mark	Wentworth East	NDP	
Murdoch, Bill	Grey	PC	
Murdock, Sharon	Sudbury	NDP	Parliamentary assistant to the Minister of Labour
Nixon, Robert F.	Brant-Haldimand	Lib	Leader of the Official Opposition
North, Hon Peter	Elgin	NDP	Minister of Tourism and Recreation
O'Connor, Lawrence	Durham-York	NDP	Parliamentary assistant to the Minister of the Environment
Offer, Steven	Mississauga North	Lib	
O'Neil, Hugh P.	Quinte	Lib	
O'Neill, Yvonne	Ottawa Rideau	Lib	
Owens, Stephen	Scarborough Centre	NDP	
Perruzza, Anthony	Downsview	NDP	Parliamentary assistant to the Minister of Revenue
Philip, Hon Ed	Etobicoke-Rexdale	NDP	Minister of Transportation

Name of member	Constituency	Party	Other responsibilities
Phillips, Gerry	Scarborough-Agincourt	Lib	
Pilkey, Hon Allan	Oshawa	NDP	Minister of Industry, Trade and Technology
Poirier, Jean	Prescott and Russell	Lib	
Poole, Dianne	Eglinton	Lib	
Pouliot, Hon Gilles	Lake Nipigon	NDP	Minister of Mines, minister responsible for francophone affairs
Rae, Hon Bob	York South	NDP	Premier, Minister of Intergovernmental Affairs
Ramsay, David	Timiskaming	Lib	
Rizzo, Tony	Oakwood	Ind	
Runciman, Robert W.	Leeds-Grenville	PC	
Ruprecht, Tony	Parkdale	Lib	
Scott, Ian G.	St George-St David	Lib	
Silipo, Tony	Dovercourt	NDP	
Sola, John	Mississauga East	Lib	
Sorbara, Gregory S.	York Centre	Lib	
Sterling, Norman W.	Carleton	PC	
Stockwell, Chris	Etobicoke West	PC	
Sullivan, Barbara	Halton Centre	Lib	
Sutherland, Kimble	Oxford	NDP	
Swarbrick, Hon Anne	Scarborough West	NDP	Minister without Portfolio responsible for women's issues
Tilson, David	Dufferin-Peel	PC	
Turnbull, David	York Mills	PC	
Villeneuve, Noble	Stormont, Dundas and Glengarry	PC	Second Deputy Chair of the Committee of the Whole House
Ward, Brad	Brantford	NDP	Parliamentary assistant to the Minister of Skills Development
Ward, Margery	Don Mills	NDP	Parliamentary assistant to the Minister of Government Services
Wark-Martyn, Hon Shelley	Port Arthur	NDP	Minister of Revenue
Warner, Hon David	Scarborough-Ellesmere	NDP	Speaker
Waters, Daniel	Muskoka-Georgian Bay	NDP	Parliamentary assistant to the Minister of Tourism and Recreation
Wessenger, Paul	Simcoe Centre	NDP	Parliamentary assistant to the Attorney General
White, Drummond	Durham Centre	NDP	
Wildman, Hon Bud	Algoma	NDP	Minister of Natural Resources, minister responsible for native affairs
Wilson, Fred	Frontenac-Addington	NDP	Parliamentary assistant to the Minister of Correctional Services
Wilson, Gary	Kingston and The Islands	NDP	Parliamentary assistant to the Minister of Culture and Communications
Wilson, Jim	Simcoe West	PC	
Winninger, David	London South	NDP	Parliamentary assistant to the minister responsible for native affairs
Wiseman, Jim	Durham West	NDP	
Witmer, Elizabeth	Waterloo North	PC	
Wood, Len	Cochrane North	NDP	Parliamentary assistant to the Minister of Natural Resources
Ziemba, Hon Elaine	High Park-Swansea	NDP	Minister of Citizenship, minister responsible for disabled persons, minister responsible for the Ontario Human Rights Commission, minister responsible for race relations, minister responsible for senior citizens' affairs

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First Session, 35th Parliament

Official Report of Debates (Hansard)

Tuesday 11 December 1990

Assemblée législative de l'Ontario

Première session, 35^e législature

Journal des débats (Hansard)

Le mardi 11 décembre 1990

Speaker
Honourable David Warner

Clerk
Claude L. DesRosiers

Président
L'honorable David Warner

Greffier
Claude L. DesRosiers

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Il existe un index cumulatif des numéros précédents. Les renseignements qu'il contient sont à votre disposition par téléphone auprès des employés de l'index du Journal des débats au (416) 965-2159.

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LEGISLATIVE ASSEMBLY OF ONTARIO

Tuesday 11 December 1990

The House met at 1330.

Prayers.

MEMBERS' STATEMENTS

ANTI-DRUG STRATEGIES

Mr Beer: I want to tell the House today about an innovative drug awareness program sponsored by the York Regional Police Force together with the Newmarket Saints Hockey Club.

The York Regional Police have been active for the past number of years working with young people in schools to combat the spread of drugs. Their excellent program Say No To Drugs sends police officers into the classrooms to talk to students at the senior elementary level about values, influences and peers, their VIP program.

This year they are building on the interest of young people in collecting hockey cards. I am sure many of us collected hockey cards when we were young and this activity is still of interest today.

Anyone under 16 years of age in York region can collect 28 hockey cards from members of the York Regional Police or from the Newmarket Saints box office. When they have collected the first 12 cards, they can obtain a free collector's book, such as the one I am holding in my hand, at the Newmarket Saints box office. Inside the booklet is a place to attach each picture collected and under each picture is information about drug abuse.

I want to commend the York Regional Police Force and the Newmarket Saints Hockey Club for this informative and innovative program.

POST-SECONDARY EDUCATION

Mr J. Wilson: My statement is directed to the Minister of Education. I would like the minister today to rethink her government's plans to cut back its funding to Georgian College in Barrie.

The minister should be made aware that there is also a Georgian College campus in my riding in the town of Collingwood. If the Collingwood campus of Georgian College is forced to close or cut back services because of this government's shortsightedness, then workers will have no place to go to receive the education and skills development they need and want.

When will the government wake up to the reality that exists in Collingwood? A third of the town's workforce has been confined to the unemployment rolls because of industrial layoffs. If jobs cannot be found and the province is denying the option of education and retraining, what is left for workers? The skills development and retraining programs are needed to ensure that young adults are trained to find their rightful place in the workforce so they do not have to rely on government handouts.

It is about time this government did something for Collingwood to offset the traumatic effects this recession is having. At the very least I want the minister to assure this

House there will be no cutbacks at Georgian College, and at the same time I want the NDP government to sharpen its collective pencil and offer assistance to get the town of Collingwood back on its feet.

CONSTITUTIONAL REFORM

Mr Drainville: I speak today as a member of the provincial Parliament and as a Canadian citizen over my concern about the growing estrangement between the federal government and the various provincial governments in Canada.

Our nation seems to be in a state of suspended animation. As the recession deepens, as the destructive policies of the Conservative government continue to divide this country, region against region and citizen against citizen, we are finding it most difficult to communicate with each other about issues that need our common support. Fragmentation and chaos seem to characterize our current relationships.

Let me say to members that we must endeavour in the months ahead to begin to dream a new dream of Canada and to make this dream a reality. We must begin to build a Canada whose system of government is flexible enough to allow for regional economic, linguistic and cultural differences, a Canada that will foster consensus and unity on questions that affect our people as a whole.

As we enter a new year we should look for ways to work together to end this constitutional crisis that has been forced upon us by the federal government and look towards the day when all Canadians will be proud of the unity we experience and live out in our daily lives.

NATIONAL HOCKEY LEAGUE FRANCHISE

Mr Chiarelli: I rise today on behalf of the people of Ottawa-Carleton to express jubilation at the return of NHL hockey to our nation's capital. Ottawa's "Bring back the Senators" bid has indeed brought back the Senators.

Ottawa has a tradition of hockey excellence. The original Senators won nine Stanley Cups, third only to the Montreal Canadiens and the Toronto Maple Leafs. The people of Ottawa are prepared to again support an NHL franchise. Hockey is Canada's national game and the nation's capital is hockey country. The people of eastern Ontario have already proved their support by purchasing close to 15,000 non-refundable season tickets even before a franchise was awarded.

The economic benefits that eastern Ontario will enjoy are equally encouraging: some 4,100 person-years of employment during the construction phase alone and close to 5,000 permanent full-time and part-time positions when the new Ottawa Palladium and commercial complex is completed, all without one penny of government investment.

Our congratulations and thanks go out to Dr Bruce Firestone, Cyril Leeder, Randy Sexton and the entire Terrace team who put in the thousands of hours required to

make this dream a reality. Given such dedication and professionalism, it is my strong feeling that soon the CBC, or what is left of it, will have to change the name of its feature Saturday night program to Hockey Night in Kanata.

NUCLEAR POWER

Mr Jordan: When the members opposite came to power they thought they had the answers. Now that they are on the government side of the House, they are not too sure about what it means to be a New Democrat. They have two R-words over there: recycle and review. They either recycle Liberal programs and legislation or they review past Liberal decisions.

In the Ministry of Energy it has been review. First, they failed to live up to their promise to stop any further nuclear power development in Ontario by allowing the environmental assessment review of Ontario Hydro's demand-supply plan to continue, despite the fact that it has a large nuclear component. When the Environmental Assessment Board makes its decision, the Minister of Energy has said she will review it and then she will decide whether or not nuclear power has a future in Ontario.

Before they were on the government side of the House, the New Democrats steadfastly opposed the sale of tritium for peaceful purposes. They did not even want to transport it along the highways of this province. Now the government is reviewing its own policy on tritium sales and has said it will not even worry about the five grams of tritium already delivered to a company in Peterborough. This government is having an identity crisis and it is not sure which R-word to use next.

1340

KEN BLACK

Mr Waters: First, Mr Speaker, I would like to take this opportunity to congratulate you on being the first elected Speaker of the House. That in itself is an historic occasion.

I would also like to take this opportunity to say a few words about the previous member for Muskoka-Georgian Bay. Ken Black was first elected as a member of the Legislature in 1987. In August 1988 the then Premier, David Peterson, appointed Mr Black to a one-man task force to study and make recommendations on the illegal use of drugs in Ontario. Mr Black was appointed Minister of Tourism and Recreation and minister responsible for the provincial anti-drug strategy in August 1989. Mr Black's educational background and community involvement put him in good stead for his legislative responsibilities.

Ken and I have known each other personally for a number of years. He was my physical education teacher at Bracebridge and Muskoka Lakes Secondary School, more years ago than I care to remember. Ken went on to be superintendent of the Muskoka Board of Education. In this regard, I know very well his commitment to education and the youth of the community. He spent his entire life working with young people, and his concern with their futures did not end on 6 September.

I would like to close by saying thank you to Ken Black for his commitment and effort to the constituents he represented in this Legislature.

RENT REGULATION

Ms Poole: This morning I attended a rally in front of Queen's Park. There were hundreds of people there: unemployed workers who have been laid off because of the Minister of Housing's new legislation, representatives from the renovation trades and construction firms who may have to shut down businesses because of the minister's policy, and small landlords who face bankruptcy.

They are angry and frustrated that the minister introduced his legislation with no consultation and no thought as to the chaos it is creating in the housing market.

I am a tenant advocate and I have deep concerns about this bill. Just as affordability of rents is important to tenants, so is the maintenance and care of their buildings; but what the minister has done is to use a sledgehammer just to solve a problem that he has admitted is caused by a few landlords.

The minister talks about massive rent increases, and I do agree with him that a 195% rent increase is reprehensible. I fought tenants having to pay for luxury renovations and the flipping of buildings, but at the same time, of all the units that have gone to rent review, only 5.7% received increases over 20%.

Why is the minister not dealing with those problems? Why is he not dealing with the abusers of the system instead of penalizing everyone? I hope the minister will take this into account when he is formulating his revisions to this legislation.

HUNTING LICENCE FEES

Mr McLean: My statement is for the Minister of Natural Resources and it concerns the cost of hunting licences in Ontario, which are scheduled to increase by an average of 5% on 1 January 1991. The minister is no doubt aware that a resident small game licence will rise to \$6.50, that a resident moose licence will increase to \$26.50 and that a resident deer licence will be hiked to \$20.25.

I have no problem with an average 5% increase in hunting licence fees, but I am concerned that this increase will happen automatically without any financial accounting being undertaken to inform the public about how such revenue is generated from these fees and how the money is spent.

The minister's predecessor began a fishing licence program with the understanding that all revenues generated would be used for conservation and stocking of our rivers and lakes with fish, but that money ended up in general revenues and has never been used for the intended purposes.

Many sports people that I have talked to want to see a system established whereby one adult moose tag would be allocated to each licensed hunt camp in Ontario. The minister should establish such a system and provide a financial accounting now, before the hunting licences are increased on 1 January.

EDUCATION OF DISABLED

Mr Malkowski: I am very honoured to have been able to meet many representatives from the disabled community from all across Canada, from the east coast to the west coast. At the Chestnut Park Hotel, I had that opportunity this past weekend. They were involved with the Canadian Disabled Rights Council and this gave them the opportunity to discuss their concerns regarding accessibility to education and job training.

There were several representatives who will be going on to the International Human Rights Conference this week. This book, *Human Rights in Canada*, sets up the agenda for the 1990s so that the disabled community can have full participation in society.

To become accessible we need to provide assistive devices that will give them the opportunity. I think all levels of government—municipal, provincial and federal—should be concerned about making their programs accessible so that we can reduce the barriers.

STATEMENTS BY THE MINISTRY

CANADA ASSISTANCE PLAN

Hon Mr Laughren: In the February 1990 federal budget, the federal government limited growth in Canada assistance plan, or CAP, entitlements to 5% for the provinces of Ontario, Alberta and British Columbia in 1990-91 and 1991-92.

As many members know, the government of British Columbia referred the federal action to the British Columbia Court of Appeal. Ontario, Alberta and Manitoba intervened in the British Columbia challenge out of concern that this federal retreat from federal-provincial CAP cost-sharing agreements could undermine the validity of all existing and future fiscal arrangements and cost-sharing agreements.

On 15 June 1990 the British Columbia Court of Appeal declared that the federal government did not have the authority to override the requirement of one year's notice in terminating federal-provincial CAP cost-sharing agreements.

Today the Supreme Court of Canada is scheduled to hear the federal government appeal of the British Columbia Court of Appeal decision. Again, Ontario is intervening.

Current estimates indicate that Ontario could lose \$310 million in respect of 1990-91 and a further \$510 million in respect of 1991-92 as a result of the federal 5% limit on growth in Ontario's CAP entitlements.

The Canada assistance plan has helped to support Ontario social assistance benefits for almost 590,000 recipients, including more than 250,000 children. Limits on cost-sharing deny federal assistance to individuals, families and children in need. National programs should not be permitted to discriminate against individuals based on their place of residence.

Attempts by the federal government to transfer responsibilities on to the provinces have not been confined to the areas of welfare assistance and child care. The overall cost to the government of Ontario of these federal actions has

been estimated at \$5.5 billion for this year and next. About 95% of this amount represents federal transfer payments associated with critical services such as health care, post-secondary education, welfare and child care.

In 1990-91 and 1991-92, Ontario will receive \$4.4 billion less under established programs financing, or EPF, with respect to health care and post-secondary education than the federal government was to have provided under the formula set in 1977. Five unilateral federal actions since 1982 have resulted in ongoing losses to Ontario under EPF, so that federal contributions now cover less than 35% of health care and post-secondary education spending in Ontario. That is down from a high of 52% back in 1979-80.

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In the most recent move to limit EPF payments to the provinces, the 1990 federal budget froze per capita EPF entitlements for 1990-91 and 1991-92, resulting in anticipated losses to Ontario of some \$320 million this year and \$570 million next year. The provinces are being asked to provide uncompromised service with eroding federal support.

In addition to these, the federal government has undertaken wide-ranging cuts affecting many of the programs previously the foundation of fiscal federalism and the very nature of our Confederation. Federal measures aimed at transferring expenditures or responsibilities have included the following: terminating or refusing to renew existing cost-sharing agreements; changing program criteria to restrict provincial spending eligible for federal cost sharing; and placing ceilings on spending on direct federal programs.

Among the programs affected have been cost-sharing for young offenders, with federal transfer shortfalls in Ontario of \$28 million over 1990-91 and 1991-92; non-profit housing, where federal cutbacks amount to \$50 million over the two years; and forestry funding under economic and regional development agreements, with cutbacks of some \$30 million.

These federal actions have damaged the country. Through this court case and in other forms we will continue to voice the strong objections of the people of Ontario.

RESPONSES

CANADA ASSISTANCE PLAN

Mr Elston: I have listened with interest to the member for Nickel Belt, now Treasurer of Ontario, and I really wonder why he is bringing this statement to the House today. I know it is important news that the Supreme Court of Canada will deliberate, but our national press service, such as it is now under the guidance of the federal Tory government, will tell us all about what the Supreme Court of Canada does or does not do with this. This material is not news at a time when the people of Ontario need real action, real leadership from this government.

We are suffering, even if you just go to the debates which have been held here in this House, from a real series of devastating layoffs about which the government of the

day has done nothing. They had made promises and when the member for Hamilton East was in his place here in opposition he made statements about how he was going to cure the ills of the economic world in favour of the working person of the province. He has done nothing except squirm in his seat as we have asked him to respond to the needs of the unemployed and those people who have seen their companies moving south of the border. He has squirmed. The member from Toronto who is the Minister of Community and Social Services has in fact never responded seriously to a timetable of implementing another stage of the Social Assistance Review Committee reform. There has been nothing to tell the people who were interested during the election about the new plan for interest assistance for mortgage holders, for people who would be home owners. Nothing has come through.

There are more studies than even we as a government had, and some would say that we had far too many. But each day as each minister stands in his or her place, he or she responds by saying: "We have taken it under advisement. We have discovered a new concept—consultation." They are not responding with any real news.

Where is the member for Hastings-Peterborough, the Minister of Agriculture and Food? When he returns from the international discussions, where is his program to assist the agricultural community at a time when things are becoming more devastatingly serious? Where in this announcement are the results of the deliberations of this government over the past three months now as it tries to bring forward some real response to the agricultural community, which really needs help?

How can the Treasurer stand in his place today and bring this little information to us? Most of this information is already a matter of public record. All of the cutbacks by the federal government were well documented under the auspices of the former Treasurer and even under the auspices of former ministers of the government as we wrestled with the delays in funding at the federal level and the real cutbacks.

That was never good enough for those people when they were in opposition, but today they have the courage, through the Treasurer standing in his place, to tell us all of these details while the province goes wanting. I cannot understand this inaction. It is not necessary that he tell us this today. He should be telling us about the details of his program for interest assistance to home owners. He should be telling us about the details for assistance to the farm community. He should tell us about assistance for the people of Elliot Lake, and he should tell us about assistance for the people in the forestry industry who need that more now than they have in the last several years. Yet he has not responded.

If the Treasurer were being upfront about all of the things he was expecting to receive or not to receive in terms of economic reimbursement from Ottawa, perhaps he could tell us about the estimated \$500 million in excess revenue which is coming. In fact, rumour has it that there may even be as much as \$750 million coming which was not projected. But he has not actually decided to tell us about that. He should tell us about that, and he should tell

us about concrete plans to gear up the construction industry so that it can take projects off the shelf and put them into real activity now in Ontario, because men, women and children in this province need the government's leadership.

At a time when they are looking for leadership, the Treasurer has given us this. This is not acceptable. The leadership the government was elected to give has not come about. I know the members are new and I know they have to find their way around this place, and that is important, but they had real plans in August and September 1990; they were elected with real plans. They were elected with immediate plans, and the Premier has taken them back. In fact, the Premier is now sitting in his place comfortably and cosily talking to his buddies while people in the province need his help.

Mr Stockwell: The statement cuts at what I believe to be a broader issue, that is the downloading of governments to other levels of government: more senior levels of government's commitments to programs, commitments to ideas, then obviously backing out.

If in fact this is the position of the provincial government, then I look forward to certain commitments to municipalities, where downloading was practised for the past five years. I have not heard any comments about them. I will give the members a couple of ideas about what the municipalities would certainly like to hear them speak about.

Maybe when the government issued this statement about those terrible federal people, it could then have announced that it would re-accept the cost of supplying court security, the millions of dollars it is costing municipal taxpayers. The government cannot have it both ways. If it is going to wail and complain when its financing gets cut off, it cannot go around cutting off municipal financing.

Waste disposal, pay equity, education, for goodness' sake—we can talk about heritage language, classroom size, junior kindergarten. Maybe we can talk about those kinds of programs the government will be prepared to pick up in the next little while after it finishes bashing the federal government for doing exactly what provincial governments have been doing for the past five years.

If the government's commitment is in place, if its commitment is true, then maybe it should stand by its principles. If this is fundamentally wrong, if this is fundamentally flawed, then so are the processes and programs that were instituted which cut the legs from under municipal government. Some municipal governments were looking at 25% and 30% increases. If that is the case, then what is good for this government should also be good for the municipalities.

Employer health tax: the 4,000 fewer beds in this province are probably very indicative with respect to provincial cutbacks. The federal government is taking the position that there has to be a reduction in spending. The provincial NDP cannot tell me about the terrible high interest rates when we can tie it to debt. It is nearly directly tied to the debt. And the provincial government cannot tell me that on the one hand it wants the federal government to increase funding to it and increase spending, and then on the other hand that it wants to retire the debt and so it

cannot lower interest rates. It cannot have it both ways. It has to be consistent.

The government also has to be consistent with the municipalities. The Treasurer cannot keep cutting the funding off to these people and not give them their transfer payments.

Hon Mr Laughren: Consistency should start with you, my friend.

Mr Stockwell: For somebody who should be listening, the Treasurer talks a lot. I remember he corrected me that way.

The Treasurer cannot cut the legs out from under those people and complain when the federal government does the same to him.

1400

An Agenda for People promised a lot of initiatives and programs. None of them have been instituted fully to the extent that Agenda for People called for. They have not been instituted fully because the government realizes it has some financial problems. Standing in this House today bashing and whining about the federal government as they did in opposition is not going to resolve the issues the people of this province have with the provincial NDP. Outstanding commitments include billions of dollars to the taxpayers.

If the government is not prepared to institute them it should say so, but it should not come before us today bashing the federal government for transfer payments, for the high interest rates, for the GST and for all those other things when it is not prepared to offer anything to the people of this province in the way of help or assistance—nothing.

The government is not prepared to stick by its campaign promises. It is not prepared to go to the municipalities and say, "We'll pick up all that downloading that was done in the last five years." What is it prepared to do? Sitting here bashing levels of government and telling us about the concerns it has is not serving the public in the province of Ontario.

If I were asking the Treasurer to make a statement, the statement would be whether he is going to institute An Agenda for People, whether he is going to institute his new economic policy, whether he is going to start his Fair Tax Commission. He should start his Fair Tax Commission, deal with the duplication of public service and deal with the duplication to the taxpayers, because the taxpayers do not care who takes the money from them. You can have three levels of government, but there is one taxpayer. Whether they take it from the right pocket, the left pocket or the hip pocket, it matters not, because all of them are taking and the taxpayers are fed up.

ADVERTISING BY MEMBERS

Mr J. Wilson: I rise on a point of privilege. I have with me today a copy of the 12 November issue of the Guelph Mercury. On page 3A, in the centre of the page, we see a photo of the inside of the constituency office of the NDP member for Guelph. In that photo we have a group of members of the Guelph and District Labour Council, and they are preparing signs which are clearly

political in nature. In fact, one of the signs right here mentions one of the political parties. I feel this is an abuse of the taxpayers' money, Mr Speaker, and it is inappropriate to use a constituency office for partisan purposes. I would ask that you deal with this matter and rule on it and report back to the House.

The Speaker: If the member for Simcoe West would forward the information, I will be most pleased to look into it and I will respond back to him as quickly as I can.

VISITORS

The Speaker: All members of the House may wish to welcome to our chamber this afternoon two former members of the House, George McCague from Simcoe West and Doug Wiseman from Lanark-Renfrew.

ORAL QUESTIONS

CONSTITUTIONAL REFORM

Mr Nixon: I have a question for the Premier. On 26 November he indicated in this House that he would make an announcement, after consultation with the opposition leaders, as to a process whereby the members of the House and the residents of Ontario would be consulted to give the government guidance on what the official position should be in our negotiations with the other provinces and the government of Canada leading to any changes in our Confederation agreement.

At the same time, in emphasizing that it would be non-political, I believe that—according to media reports—over the weekend he lambasted the Progressive Conservative government of Canada for its inadequacies in constitutional leadership to no less an august body than the NDP provincial council.

I wonder if the Premier could indicate what he means by an open and non-political approach and when we can hear the structure in which we might all participate in the very near future.

Hon Mr Rae: I hope I will be able to meet with the Leader of the Opposition and the leader of the third party later this week. I hope it can be done as soon as that. I hope to be in a position to make a statement to the House before we adjourn next week. I look forward to those discussions and I look forward to the House and other institutions in the province being involved.

Mr Nixon: I appreciate the reiteration of the promise to consult with the leaders of the opposition parties. He may have forgotten his previous situation where, as Leader of the Opposition, there was a rumour that he did not always speak for every member of his party. I do not think any secret would be divulged if I said there are a variety of views in our party on how this consultation should take place. I would suggest to him that it is not sufficient consultation, although I appreciate his offer to speak to me and to my friend and colleague the leader of the Progressive Conservative Party.

Would he not think that a truly open approach to this might be for him to put forward a resolution that could be debated, maybe in an evening session or something like

that, as there are very few days apparently left in this fall session before we adjourn for a time?

While consultation with the two leaders might be sufficient in his view, I would express on behalf of my colleagues their desire to participate right from the beginning in how the structure might become established, and that we should do this without delay, because the rest of the provincial and Canadian world is rapidly moving on while we are polishing our glasses.

Hon Mr Rae: The Leader of the Opposition has again used a metaphor which I have used myself and I appreciate the fact that he is using it.

I hear the suggestion. It is an interesting one which I would like to discuss with the House leader, because there are some questions about what House business is going to look like over the next seven days. I am very open to the suggestion made by the Leader of the Opposition and I sincerely hope that something can be arranged.

Mr Nixon: I believe it was announced over the last day or two that Manitoba has established a so-called blue ribbon committee to review this matter and report to the government and, I presume, through the government to the Legislature and people of that province.

Alberta's review of this matter has been in operation for a number of months. We know that the government of Canada, through its rather ill-fated citizens' forum, is gathering its skirts together as it plans to consult with the people of Canada beginning in 1991.

Perhaps the most significant thing is that the Bélanger-Campeau commission is well into this and mobilizing the opinions of the province of Quebec, while there seems to be a certain timorous approach by the fearless leader of the New Democratic government. It is not clear what is restraining him because he may well recall, in an address to this House not many months ago, that people on all sides responded to his rather clear review of the situation as it then was, pre-Meech, with a standing ovation. I even participated, much against my better judgement when I think back.

The Premier must surely put aside his timorous approach to this and assert his leadership of the majority in this House, move forward in spite of the reactionary pressures that are exerted upon him, give some leadership and allow the House and the people of the province to proceed. Does he not agree?

Hon Mr Rae: Yes, I do.

The Speaker: Before entertaining a second question—this chamber is obviously popular today—we also have another former member, Cliff Pilkey, a former member for Oshawa.

INTERNATIONAL TRADE

Mr Kwinter: I have a question for the Minister of Industry, Trade and Technology. Exactly one year ago, the GATT council adopted the report of a GATT panel formed at the request of the United States. The panel ruled that Canada's import restrictions on certain products are inconsistent with article XI of the GATT.

The minister has just returned from leading Ontario's delegation to the GATT. Could he tell us what progress he made in addressing the problems with article XI?

1410

Hon Mr Pilkey: I thank the member for the question. Ontario is well satisfied with the circumstances that related to article XI at the recent GATT talks, the Uruguay round.

As I mentioned to the House yesterday, I was pleased to have in my delegation there the Minister of Agriculture and Food, who did a very commendable and excellent job not only in advance of the round with his meetings with the agricultural industry representatives but also at the round itself. I want to thank him publicly for that.

The province of Ontario, as members know, attended those talks in a subnational setting, the federal government of course having the prime responsibility to represent this nation at the green rooms at those GATT talks. We were very successful in having article XI maintained in the agricultural policy to help protect supply management and those who benefit from that supply management program, the Ontario farmers.

That circumstance was maintained in the Canadian package even though there were other provinces that were not pleased with that. They would like to have seen them removed, but it was necessary for the benefit of Ontario agriculture that the management supply article be left intact. It was left intact when the round began, it was intact when the round was suspended.

It will be our position, as we meet later in the year with federal Minister for International Trade, John Crosbie, to maintain that position for the benefit of Ontario interests, and we believe we will be able to continue to do so.

Mr Kwinter: The minister certainly does not understand the problem. The problem is that we do not want article XI maintained. To state that he is satisfied that it is maintained goes contrary to what Ontario's and Canada's position is. Just to remind the minister, who has just gone to Brussels, article XI deals with a ruling that was made about yoghurt and ice cream and possibly cheese. We, as a province, are opposed to it.

For the minister to stand in his place and say that he has gone to Brussels and he is happy with that means that he was not really there in any kind of meaningful way.

If, as the minister says, he is happy with what is happening with regard to article XI, what is he going to do to ensure that the dairy industry is not going to be decimated, which is what will happen if the interpretation under the present ruling of the GATT panel is upheld? What is he going to do about it?

Hon Mr Pilkey: I understand the article quite well, contrary to what the former minister has said. It is very important, and was very important, for us to maintain that article in the interests of supply management for the agricultural community here in Ontario.

It is true that there have been interpretations of that article under the former GATT provisions that have allowed some seepage and some escape into the areas that the member mentions. It has been our role and our task to try to close those gaps and those circumstances where those exports have been able to flow into Canada and Ontario, and that is our position as well.

The member tries in some kind of cute way to steer away to a secondary issue and detract from the primary comment on the main issue of supply management that I mentioned. But I can assure him, as I think he well knew before he asked the question, we also, in both ministries, are aware of that seepage and are trying to correct that circumstance through our trade representative, John Crosbie.

Mr Kwinter: Just so we can clarify the situation, a year ago today the GATT council accepted the ruling of a GATT panel that said Canada's stand on article XI is not in keeping with its interpretation of what it is. We as a province and we as a country have been very unhappy with that stand, because if it is allowed to stay as it is—and the minister has just said that he is happy with its staying as it is—it will destroy supply management. That is exactly the point I was making, that unless he can strengthen the interpretation, unless he can adjust it to accommodate supply management and crop insurance and some of the other things we do, we are going to destroy the crop management system in Ontario.

Can the minister tell me now that he can ensure that supply management will remain as it is now during the final negotiations and afterwards? Can he assure us of that?

Hon Mr Pilkey: Unless 107 countries in this world bestow upon me the single authority to write all the rules and regulations under the current Uruguay round, no, I cannot guarantee him that.

What I can guarantee him is that it will be the position of this ministry and the Ontario Ministry of Agriculture and Food to continue to urge the trade minister, John Crosbie, who represents this nation at those tables, to continue to protect article XI in terms of supply management so that the farms and the farming families of this province will continue to be protected.

In terms of those areas where there is some slippage through milk byproducts, which the member referred to on ice cream and yoghurt, we have continued to urge that those loopholes be plugged. We want to ensure that, under the rules section of GATT, those areas are strengthened and regulated to ensure that the very pitfalls the member indicates are in fact plugged. He should not confuse the fact of that slippage with our position on article XI, though. I ask him to consider that perspective.

LANDFILL SITES

Mr Harris: I have a question for the Premier. In light of the revelations in this morning's announcement that Metropolitan Toronto's secret list of 15 potential landfill sites includes the Rouge Valley as a potential megadump for Metro Toronto's garbage, will the Premier stand up in this House today and tell us whether he plans to live up to his party's promise and his own personal onsite commitment that there will be no dump in the Rouge Valley?

Hon Mr Rae: First of all, let me say to the leader of the Conservative Party that the list, which is put forward by the group called Solid Waste Interim Steering Committee, is not a secret list. It is certainly not now a secret list, but it was not a secret list before. I tell the member very

directly, there are absolutely no plans of any kind by this government to use the Rouge Valley as a dump, none at all.

Mr Harris: As the public has begun to realize, I believe, from politicians of all parties at all levels, there is a huge difference between "We have no plans" and, as he said in the campaign, "There will be no dump in the Rouge Valley."

The Premier says the list is not secret. I still have not seen it. Metro Toronto officials who wanted to release it have been told, as I understand, by either the Ministry of the Environment or officials: "That would be inappropriate. Please keep it secret so that we do not excite some of these municipalities that may have other expectations." I do not know why they would have those expectations, but perhaps they still remember the month of August and the commitments that were made by the Premier.

As opposed to having no plans, I wonder if he would answer the original question, which is to say, does he plan to live up to his personal promise that regardless of anything else, he now, as Premier of the province, can say with certainty there will be no dump in the Rouge Valley?

Hon Mr Rae: I will live up to the statements that I have made in the past. I state as clearly as I can to the leader of the third party with respect to the Rouge Valley, it has been declared a park by the previous administration—

Mr Elston: Hear, hear.

Hon Mr Rae: —in answer to the interjection, a position which we fully supported and which was advocated with great eloquence by the member for Mississauga South. When she did so, she was speaking on behalf of all the members of the Legislature, I believe, in the efforts that she and others made with respect to the Rouge.

I do not know how I can be any clearer than I have been. I was asked specifically by the leader of the third party whether I abided by the statements that I had made in the past with respect to there not being a dump in the Rouge Valley. That is the statement that I am making today: No dump in the Rouge.

1420

Mr Harris: I would say to the Premier, that was not so tough, what he said in August. However, there are 14 other sites on this secret list that the Minister of the Environment has asked to be suppressed, for what reason, we are not sure.

Specifically, I can recall the NDP in August—that was the No Dump Party—particularly in Marmora, Plympton and Scarborough, for example. Could the Premier repeat the promises he made that there would be no dump in the Rouge Valley and the personal commitment and promise he made this summer to Marmora, Plympton and Scarborough? Does he plan to live up to those commitments?

Hon Mr Rae: I think the question that has been put by the member has been answered on many occasions, and it has been answered very clearly by the Minister of the Environment as well as by others.

The first priority of this government is the reduction of waste, and that position has been advocated very strongly. I can tell the member we are now, as a government,

allocating resources. We are now looking at exactly what is going to be required to carry out this tremendous task, and that is what we are doing.

The second thing I would say to the leader of the third party is that we are establishing a public authority which will be clearly publicly accountable. It is going to be established with a clear responsibility to finding a long-term site, and the clear statement has been made by this government that no long-term site will be established without environmental assessment and without a process of full accountability—no long-term site in that regard. That has been made very clear by the government and that is our position.

Mr Harris: Small change in the answer to the supplementary from what there was to the first question.

Mrs Cunningham: No long-term.

Mr Harris: Oh, that was just no long-term dump in the Rouge. Maybe I should—

Interjections.

Hon Mr Rae: No, no.

Mr Harris: I understand.

RENT REGULATION

Mr Harris: I have a question. I am not sure we have really cleared up what I wanted to clear up, but I am not sure 10 more questions are going to do it either, so I will go to the Minister of Housing.

This afternoon, two weeks before Christmas, I bring him greetings from over 15,000 workers of this province, many of whom stopped by in person, who have been directly affected by the minister's very ill-conceived, I suggest, and unjust legislation.

The minister has example after example of workers who have been laid off as a result of his introduction of proposed retroactive legislation. These workers, I suggest to the minister, will be themselves facing a rather grim Christmas. I would like to know what the Grinch who stole housing has to say to these workers whose jobs were lost that were directly linked to the necessary maintenance and upkeep of Ontario's aging rental stock. What message does the minister have for them?

Hon Mr Cooke: I think the leader of the third party knows very well that the whole issue of rent regulation and protecting the affordable housing stock that exists in this province is a very difficult one indeed. I understand that. I understood it when I was in opposition and we understood it in the election. That is why, when we were in opposition and during the election and now that we are in government, we have brought forward proposals that will provide protection for tenants in this province.

I understand very clearly the member's point of view and the point of view of the Fair Rental Policy Organization of Ontario, the large landlords in this province. The member's point of view and their point of view is that rent control should be abolished and that tenants should be left to have absolutely no protection for rents at all. That is not a point of view that I share. I think we have to provide protection.

Mr Harris: I think it is a pretty well established fact that Santa is not going to arrive on the roofs of a number of apartment buildings across this province this Christmas because there are so many roofs that cannot support even him and his eight tiny little reindeer because they are in need of repairs and apartments where he will not be able to slide down the chimney because the chimney is crumbling.

If Santa has problems, what about the thousands of tradespeople who have no jobs because of this government's shortsighted attempt to be all things to all people? They know their jobs have been stolen by the New Democratic Party, and the jobs that were stolen were not for luxury renovations. This seems to be the minister's only justification when we talk about this legislation. These are jobs that were for necessary repairs. I have estimates that less than 2% of planned renovations could be classified as luxury or unnecessary, so the minister is throwing out 98% of the renovation jobs to correct a 1% or 2% problem. He is also destroying 98% of the homes of tenants to stop the 1% or 2% perhaps unnecessary or luxury renovations.

I wonder if the minister has any impact studies that show this is not the case, and if he does have any impact studies, if he would table them with the Legislature before we debate this legislation.

Hon Mr Cooke: I give the leader of the third party credit for his consistent point of view in wanting to eliminate rent regulation in the province; that has been his point of view for a long time. He refuses to recognize, as he has consistently that we had to bring in some type of protection because we were experiencing speculation and flips and unnecessary renovations that were resulting in tenants not receiving the kind of protection that we in this party and this government believe in.

The member has to understand, as he refuses to do, that if we had not brought in some improved type of rent regulation, he knows as well as I do that he would be standing up and the Liberal Party members would be standing up and saying, "Where is the protection for tenants?" There are tenants who are receiving 60%, 70% and 80% rent increases.

We have decided that type of rent regulation is necessary. We brought in a moratorium, and that is the position that we have taken. We do not agree with the member's point of view that there should not be rent control in this province.

Mr Harris: I realize that the minister does not like to answer the question, and he likes to get into a whole host of other facts and suggestions and presumptions. What I am interested in is this: Why is the minister destroying the homes of 98% of the tenants in this province and the jobs of 98% of the renovation workers who are being thrown out of work with a sweeping, retroactive bill designed to protect the 1% or 2% of the renovations that can be deemed as unnecessary or luxury? That is the question that I want answered and that the people of this province and the 98% of the tenants do not understand.

Will the minister table the impact studies or, if he does not have them, will he admit that he has done no impact

studies on the 98% or more of these homes that tenants are going to see deteriorate as a result of his legislation?

1430

Hon Mr Cooke: I would say to the leader of the third party that it is that kind of rhetoric, the rhetoric that he is using and the rhetoric that is used by AFFORD, the Association for Furthering Ontario's Rental Development, and by large landlords in this province, that will not lead us to a permanent solution to this very important issue in this province.

I have put forward to the member through my House leader a proposal which we put to the landlords and the tenants of this province that would see the moratorium now and a proposal for the long-term legislation to come forward at the end of February so we can speed up the process and make sure the moratorium is as short as is absolutely necessary.

The member knows that this proposal is in front of him. If he wants to get the moratorium out of the way and get on with a long-term solution that will deal with capital, then let's get the bill out to committee and start dealing with the problem.

LANDFILL SITES

Mrs Sullivan: My question is to the Minister of the Environment. We have learned today that the minister and her officials have been in possession for several weeks now, since 14 November, of a list prepared by Metropolitan Toronto outlining 20 proposed sites to receive Metro garbage. We understand that when the minister learned this list was to be released, she or her officials directed Metro to keep the list under wraps.

There is a great deal of confusion in towns like Marmora, Plympton, Kirkland Lake, and indeed even in the Toronto area in Keele Valley and in Scarborough, that communities will be required to take Metro waste against their will.

The minister has promised that she will be open and aboveboard relating to any question on environmental issues with the people of Ontario. I am asking the question of this minister, will she lift the veil of secrecy and will she table in the House tomorrow the list of sites that Metro Toronto has prepared and that she has directed shall be kept under wraps?

Hon Mrs Grier: I am glad of an opportunity to be as clear as I possibly can about the process that is being undertaken by this government. Let me start by dealing with the list. The list of sites was prepared by Metropolitan Toronto. I think they called for proposals under the Solid Waste Interim Steering Committee or SWISC process set up by the previous government. They got 89 responses and they have since been whittling that list down.

I am not in possession of nor have I seen the list to which the member refers, but I think we all know that since last spring there has been a long list of communities that have been concerned about the fact that Metro and the GTA were looking at their communities for a long-term site for waste disposal.

What this government has done is establish an integrated process of waste management. The member

knows we are going to be dealing with waste reduction and reuse. We also are going to be setting up an authority that will build on the work that has been done by the existing regional municipalities and their co-ordinating committee and that will set in place the search for a long-term site.

Until that authority is set up, which will likely not be until the next sitting of this Parliament, I asked Metro and the regional municipalities to carry on and to keep their options open. They said, "Will we release the list of our preferred sites?" I rolled my eyes and said, "If you must." They now have decided they must.

My concern is that the authority that is going to be put in place will be the body that will be seeking the long-term site. That authority will establish the criteria and the conditions under which a site has been selected. The list to which the member refers is a list that is currently in the possession of Metropolitan Toronto and was the list that they had prepared under the previous process which was set in place by her government.

Mrs Sullivan: The minister did not answer the question about tabling the list. Clearly, it is in the possession of her officials. I also believe that the minister is creating enormous confusion with directions from her officials which are going to, for example, the municipality of Metropolitan Toronto, with her emergency action threats and with flip-flops. I will give some examples of that.

When in opposition, the minister advocated that Metro and the greater Toronto area should meet their garbage needs within their own boundaries. On 21 November the minister flip-flopped and absolved the GTA of any requirement to do so. On 4 December she and her government and the members on the back benches, some of whose communities are affected, voted against our party's resolution to require this. Today the Premier says the Rouge Valley will not have to take long-term waste. I can tell members what NDP means in terms of waste management issues; it means no damned plans.

I want to ask the minister if she will outline for this House her definition of a willing host, her definition of her commitment to the environmental assessment process, the relationship between her landfill siting authority and the solid waste environmental assessment plan of Metro and whether she will guarantee that the Rouge Valley will not have to accept landfill, not only in the long term, as the Premier has indicated, but in the short term as well.

Hon Mrs Grier: Let me respond to the last part of the member's question. If the member will recall the statement I made in this House, of which she was very critical, it was that there were not going to be interim waste disposal sites for the greater Toronto area. That, I think, deals with the question at the end of her statement.

The plan that this government has is one that puts the environment first, and it puts the environment first by getting serious about waste reduction, waste reuse and waste recycling, something that the previous government was not prepared to do.

Second, our plan calls for an expedited process to find a long-term site for the garbage and putting that site under

the environmental assessment process as opposed to taking shortcuts as our predecessors were going to do.

RENT REGULATION

Mr Tilson: I have a question for the Minister of Housing. As the minister knows, I have received and I am sure the minister has received many letters and telephone calls daily criticizing and expressing concerns about the Bill 4 that he is proposing, which is the rent control legislation. These retroactive provisions are seen by many, and not just the landlords, as unfair and inequitable as they effectively leave high and dry those who relied on the existing legislation and undertook renovations in good faith over the last summer.

Will the minister do the honourable thing and remove those retroactive provisions of Bill 4 which threaten so many of the small apartment owners with total ruin?

Hon Mr Cooke: I am sure the member knows that even under the proposal that is now before the Legislature, there will be 130,000 units in this province that will go through the rent review system under the old Liberal legislation. That is how many units. Over 10% of the private stock will still go through the old rent review system under the proposal we have put forward.

That means that 130,000 are going to face significant increases, and we are not able to protect them under our current legislation. So I would say to the member, if he is suggesting there should be changes to Bill 4 that would provide even less protection for tenants across this province, I do not share that point of view at all.

Mr Tilson: As the minister knows, I have asked for impact studies. He said he has them. I have written to him, I have telephoned him, and he will not give them to me. The leader has asked for supporting data behind this bill. We have not received any. My guess is that this information does not even exist.

Will the minister tell this House whether he has a legal opinion in support of the retroactive provisions of Bill 4 and, if not, will he make a reference to the courts to determine whether or not his legislation, especially the retroactive legislation, is even legal? I expect the minister is breaking the law with this legislation. Will the minister do that before someone else takes him to court and before committee hearings begin, so we can proceed on a sound legal footing?

Hon Mr Cooke: I am sure the member knows that the procedure in government is that any legislation that is brought forward to the Legislature is put through the Attorney General's office for an opinion to make sure that it is consistent with the Constitution and with laws in the province, just as any piece of legislation goes through the Attorney General's office.

My understanding is that is exactly what has happened with Bill 4. It has been routed through the Attorney General's office and the opinion is that the legislation is adequate under the Constitution of the country.

1440

GOVERNMENT APPOINTMENTS

Mr Owens: My question is for the Treasurer. Will the vetting process that the Premier announced yesterday in this House slow down the establishment of the Fair Tax Commission, and will the proposed members of this commission have to undergo the vetting process?

Interjections.

Hon Mr Laughren: I did not hear the last part of the member's question. Sorry.

The Speaker: Like the member for Nickel Belt, I was unable to hear the entire question either.

Mr Owens: Thanks to St Nicholas and his blue reindeers across the way.

The second part of the question is, will the members of this Fair Tax Commission have to undergo a vetting process under the rules that will be established by this new commission?

Interjection.

Hon Mr Laughren: I appreciate the assistance of the member opposite. I appreciate the question. I do not anticipate that the rules or the plans laid down by the Premier yesterday will slow down at all the process of appointing the tax commissioners.

According to the guidelines outlined by the Premier, they will apply to order-in-council appointments as opposed to appointments that are at the initiative of a particular minister. It is my expectation that the tax commissioners will be appointed in this case by the Treasurer and that we will not be subjected to an order in council, and therefore vetting is laid out by the Premier.

Mr Owens: What then will be done to ensure that Ontarians have the best possible representation so that all sectors are represented on this commission?

Hon Mr Laughren: The member raises a good point, because we have been spending a considerable amount of time ensuring that the various sectors will be represented on the commission. We want to be sure first of all that there is appropriate gender representation on the commission. We want to ensure that there is regional representation. We want to ensure that the various sectors, including the business sector, the public sector and local government, are all represented on the commission. So we are working very hard to ensure that the commission itself is a representative one.

I am hopeful we will be able to make that announcement of the composition of the commission in the not-too-distant future.

FOREST MANAGEMENT

M. Ramsay : Aujourd'hui, j'ai une question pour le ministre des Richesses naturelles.

In this House on 17 May the minister, while in opposition, stated in reference to the budget of the day:

"There is a huge backlog of unregenerated cutover lands. These cutbacks mean much of them will remain unplanted. This will mean less timber for the mills of Ontario and increased unemployment across the north. Both

governments, federal and provincial, must commit increased funding for forest management. These cutbacks threaten the future economic viability of the lumber and pulp and paper industries and communities dependent upon them for jobs."

Then in the throne speech the government stated:

"We believe in sustainable forestry, and are determined to see that our forests are regenerated."

So far we have seen in a concrete effort from this government only a 20% allocation of the \$41 million put into capital works this winter towards silviculture and some forest inventory updates. We have not seen any change in policy and we have not see any new initiatives.

My question is, what specific items are on the ministerial agenda to solve the forestry problems that the members talked about while in opposition? What are those projects and what are the time lines?

Hon Mr Wildman: I appreciate the question from the member and I appreciate his concern for the future of our forests and the jobs in the one-industry towns that are dependent on those forests. He is quite correct in pointing out, as has been done in this House, the serious problems facing particularly the sawmill industry but also the pulp and paper industry.

This government is committed, as it stated in the throne speech, to sustainable forestry and to ensuring that we manage our forests in a way that takes into account all values—particularly timber values, but the values of other types of habitat, fish and wildlife, the tourist industry, recreation—and that we manage forests in an ecosystem approach.

We are currently developing proposals within the ministry for such an approach and moving towards consultation with various sectors. We have already been very much involved in consultation with the industry, with environmental groups and with labour to determine how we might proceed. I will be preparing a presentation for cabinet. We will be going to cabinet in the near future with a proposal for how we will implement our commitment in the throne speech and we will be making it public as soon as we can.

Mr Ramsay: I have been in contact also, as the minister has, with representatives of the industry and other interest groups in the province that share the minister's interest and mine in the forest, in the management of the total resource. But, as the minister will know, the previous government had some studies to be looking at in old growth and also the Pearse report. The previous minister allowed the new minister the discretion on when that report should be released, and I applaud the previous minister for doing that.

At the forestry industry breakfast which the minister attended last week, the industry was asking where the Pearse report was. We would like to see that consultation. The industry would like to see that discussion start. The industry would like to see some direction from this government.

Hon Mr Wildman: Again, I want to agree with my friend across the way about the co-operation of the pre-

vious minister. I appreciate her approach. I would say in response specifically to the question that the industry has sought direction from the government, particularly in relation to the fact that the previous government was unable to proceed with the forest management agreements and refused to proceed with forest management agreements over the last two years of its mandate because of the costs involved, and the industry, as I am sure as the member will agree, is looking at how that might be changed.

The industry has also specifically called for an audit, which is in line with the policy of this party, as the member will know since he was part of it at one time, and we are proceeding with the need for an audit so we can get a better picture of what exactly is the state of the forest. We will be able then to develop our forestry management plans in consultation with the industry, environmentalists, labour and the communities involved to ensure we have proper management.

In regard to the Pearse report specifically, I expect that will be released in due time as we release to the public our overall policy with regard to consultation and forest management.

FOOD BANKS

Mr Jackson: I have a question for the member for York South. The member is well documented on record, both as opposition leader and during the last election, with respect to his understanding of the problems associated with the perpetuation of food banks in this province.

The member was quite eloquent in his understanding of what contributes to institutionalized poverty and the traps that exist for far too many thousands of Ontario residents, and so it is not surprising that so many anti-poverty groups have been shocked and dismayed at the complete reversal of the Premier's position with respect to his approach to attacking institutionalized poverty.

1450

My question has to do with why the Premier continued to even seek out headlines, such as one that appeared in the Toronto Star of 1 December which reads, "Rae Vows to End Food Banks." I would like to add again, that was on 1 December. In the Premier's own words, "Poverty is what drives people to food banks." The article says he said that although speeding up the Social Assistance Review Committee process "might have less political sex appeal than throwing money at food banks, we recognize that it isn't the answer. We must deal with the structural problems that create and perpetuate poverty."

Why was the Premier saying that on 1 December, when his government is now funding food banks? They are now perpetuating poverty, by his own admission. They have gone with the sexier political appeal approach instead of attacking the structural problems of poverty in this province. Why has the Premier changed his position so dramatically?

Hon Mr Rae: I appreciate the question from the always eloquent member for Burlington South. I can assure the member that there has been no change in our objective and the direction in which we are going in terms of speeding up the SARC review process. As a government, we

have taken something that was clearly on the back shelf after the first round was approved by the Liberal government, and we have pulled it off the back shelf and said that we want to get moving on it, that we want to proceed. It is not easy in terms of our financial circumstances, and we all understand that, but we are determined to do the best we can.

With respect to the \$1 million, the minister made it very clear yesterday that this \$1 million can be used by a variety of food banks across the province. I would say to the honourable member for Burlington South that there are varying views with respect to the emergency situation in different parts of the province, that there are differing needs in the food bank community in different parts of the province and that there are differing views.

Therefore, it was the response of this government that we would set up a fund of \$1 million which can be accessed by food banks and used for various purposes. That is the way in which it was put forward by the Minister of Community and Social Services. It can be used for advocacy. It can be used to get people the benefits they need and deserve. In some circumstances, in the Ottawa area, for example, and in some smaller communities where there is an immediate emergency in terms of access to food supplies, it can be used in that regard.

But the position of this government remains that the long-term approach, the medium-term approach where we are putting the vast majority of our resources right now as a government is in terms of the increase in welfare payments we announced and the increase in shelter supplements we announced. The direction of our policy is clearly to put money into the pockets of people to make sure they do not have to use food banks, and to respond to emergencies as and once we find them. That is the position of the government of Ontario.

Mr Jackson: The Premier referred to differing views. We do not have a differing view from the thousands of poor people in this province. We do not have a differing view from Thomson and the SARC members. We do not have a differing view from a whole host of volunteers who run food banks and whose goodwill we are exploiting in this province. The only differing view we are getting is from the Premier and the New Democratic Party of this province.

They were saying six short days ago, after one cabinet meeting, "Rae Vows to End Food Banks" to every one of those groups—consistent in their message that this government has not changed its approach like any of the previous governments. The truth of the matter is—

Hon Mr Allen: Why did the national food bank close?

Mr Jackson: The member for Hamilton West knows there are elements of his own government's policy that betray his own dissenting report at the standing committee on social development. I will quote the member for Hamilton West. He said that "refusal to support such early action on these...crucial points leads us to conclude that the government has no intention of including any major new income support measures for the poor in the coming

budget. To us that is intolerable." That was the position of the New Democratic Party before an election.

Finally, one point: With the Premier funding these, then my question is—

The Speaker: We may have a differing view on what constitutes a question. Could the member succinctly place a supplementary question?

Mr Jackson: My supplementary question to the Premier is simply this: Why did his political party sign a document objecting to the approaches taken in attacking poverty through food banks? Why did he include the statement, "To expect them to continue in that role is, in our view, an improper exploitation of community goodwill and voluntary resources"? Why is he perpetuating that with his policies instead of attacking the structural problems associated with poverty in this province?

Hon Mr Rae: I will try to say as briefly as I can to the honourable member that what we are doing is consistent with what we said we would do in opposition. It is not easy to do. Reforming the welfare system, getting people back to work and dealing with the problems of people who are disabled is not an easy job.

If the member reads the text of what I actually said in the Star article from which he quoted, he will find that is exactly what I said in the Star article, that what I am saying in the Star article is precisely the position this government has taken.

The position we are taking is that we are going to work with groups across this province. We are not pretending that it is going to be easy. We are going to respond to those groups all around the province, not just in Metropolitan Toronto. We are going to respond to groups in Hamilton. We are going to respond to groups in Ottawa that have been cut off because the previous government cut off emergency funding worth some \$600,000, which required a great many of them to close and no longer provide help.

We are going to have to do that at the same time as we are going to have to deal with the long-term problem. That is what we are committed to doing. We were committed to doing it before the election and during the election, and now that we are the government we are committed to doing the very best job we can in that regard.

WORKERS' COMPENSATION BOARD

Mr Morrow: My question is for the Minister of Labour. I know the minister has heard a lot of complaints about the poor service injured workers are getting from the Workers' Compensation Board. In my riding I hear constantly from injured workers who wait months for an answer to their claims and may suffer terribly as a result. What is the minister doing to try to resolve these unacceptable delays at the WCB in getting legitimate benefits paid to workers who have been injured on the job?

Hon Mr Mackenzie: I want to tell the member and all members of this House that we are treating the problems at the Workers' Compensation Board with the utmost urgency in our ministry.

I want to emphasize that in our judgement the problem does not lie with the front-line workers at the board whose

workloads are extremely heavy. I have recently met with the chairman of the board, the vice-chair and senior officials and we spent most of that meeting talking about the service problems that are emanating from the board. I came away from that meeting convinced that they sincerely want to resolve these problems as much as anyone, and they have begun a number of new initiatives that should help us in this matter. I will be monitoring what happens with these new initiatives on a regular basis.

Mr Morrow: I thank the minister for his assurances and I share his hope that we can get some quick improvements. Does the minister know if any of these new initiatives by the board involve the hiring of some more staff? Surely this is a problem. There are not enough adjudicators.

Hon Mr Mackenzie: I am told by the board that the telephone inquiry staff has more than doubled in the past two months. They also told me there are efforts to hire even more. They are also hiring more adjudication personnel as quickly as they can find the qualified personnel.

The member will also know that the WCB is an independent agency, not controlled by the ministry directly, and we cannot tell them when to put in phones or additional personnel. We think the board should resolve its own problems and we believe that the top management, the new direction and the new board that will be hired shortly will see to it that the priority at the Workers' Compensation Board is resolving the adjudication problems.

1500

EMPLOYMENT EQUITY

Mr Cordiano: I have a question of the Minister of Citizenship. On 26 November the Minister of Citizenship issued a press release in response to her government's throne speech. In that release the minister noted that her ministry was perfectly positioned to take the lead in securing an employment equity piece of legislation that would be brought forward.

The minister went on to promise that there would be more in the coming weeks. Yesterday in this House the Premier announced his intention to appoint an employment equity commissioner. The real issue is, when will the minister bring forward employment equity legislation? It has been some time since that announcement was made, since her intention was made known. I would like to know what specific timetable will be put in place by the minister to bring forward legislation.

Hon Ms Ziemba: I thank the member very much for the question. I too share his concerns about the urgency. As he knows, there is an urgency for employment equity in this province. We recognize that need. We also recognize that to be able to make sure we have a good employment equity plan in place, one that works well, we need to have a commissioner in place. That commissioner will be announced very shortly.

Mr Cordiano: It is very interesting indeed to note the transformation that takes place when one goes from opposition to government. I might remind the current minister of this document, Bill 172, which in case she forgets, outlined

the initiatives to put forward a broadly representative workforce by eliminating discrimination against women, disabled people, natives and other visible minorities.

That was put forward by the then Leader of the Opposition, who is now the Premier. In case she forgets, he wrote the bill; it is quite detailed, quite specific, with timetables, agendas and a number of relevant facts that will lead to employment equity. I would like to ask the minister again, when will she put forward this piece of legislation? If it was good enough for the Leader of the Opposition when he was in opposition, why is it not good enough for her leader when he is the Premier in government today?

Hon Ms Ziemba: This is a very good question. I thank the member very much for his question. I also would like to be a little bit rhetorical, but I will not be because the Liberals also put forth employment equity four times in an announcement. We will be putting forth our employment equity plan. When we do, it will be a good employment equity plan. It will reflect the Premier's bill and we also will have this plan in place very quickly, before our mandate is over.

ZEBRA MUSSELS

Mr McLean: My question is for the Minister of Natural Resources. The minister is no doubt aware that this past summer the former government promised quick action to deal with the threat of zebra mussels. An interministerial committee was set up and a strategy was put in place, in conjunction with research, and there was a budget of about \$8 million. What happened to the report of this interministerial committee and what happened to the minimum \$8 million that was set aside for that?

Hon Mr Wildman: I am particularly concerned about the effects of zebra mussels and the potential effects they could have for the future of the fishery in the Great Lakes, particularly Lake Erie. As they have moved into the other Great Lakes and have been identified in other harbours throughout the lakes system, and as we see the possibility of the zebra mussels moving into inland lakes, the possible effects on the sport fishery as well as on commercial fishing in the Great Lakes could be devastating.

The member is correct that there is an interministerial committee that has been working to develop a strategy for government. Some of the main thrusts of that strategy have been to try to educate the public to ensure that they will take measures required to protect their boats, their vessels, working to deal with the effects on water intakes, whether it be municipal water intakes or utilities and so on to ensure that those can be protected, and developing new avenues for scientific research as to how we can eventually control, if not eradicate the problem.

The report has not been finalized, but I will follow this up and report back to the member as soon as possible as to when the report will be published.

PETITION

RETAIL STORE HOURS

Mrs Mathysen: I have a petition from 20 members of the Presbyterian Church of Canada asking the members

of the Legislative Assembly to retain a common pause day. I have signed my name to this petition.

REPORT BY COMMITTEE

STANDING COMMITTEE ON ESTIMATES

Mr Jackson from the standing committee on estimates presented the following report:

Pursuant to the order of the House of Thursday 6 December 1990, the report of the committee is deemed to be received and the estimates of the ministries and offices named therein as not being selected for consideration by the committee are deemed to be concurred in.

ORDERS OF THE DAY

HOUSE SITTINGS HEURES DE SÉANCE

Miss Martel moved government notice of motion 7:

That, notwithstanding standing order 9, the House shall continue to meet from 6 pm to 12 midnight on 11, 12, 13, 17, 18, 19 and 20 December 1990, at which time the Speaker shall adjourn the House without motion until the next sessional day.

Hon Miss Martel: The motion we are moving today is patterned after motions that have been moved by the previous government on two occasions. The first was last fall, in the session of 1989, when the government House leader at that point moved that we sit, and we ended up sitting Wednesday 13 December, Monday 18 December, Tuesday 19 December and Wednesday 20 December. Second, in the spring session of the year 1990 the government House leader moved the same motion and agreed that we should sit eight sessional days. As it turned out, on only two of those occasions did the House in fact sit beyond the extended time.

I believe the memo I have given to both House leaders outlining the business we would like to move in the next two weeks is business that this House can in fact complete. We do not believe there is anything onerous in what we have suggested. We have asked both the House leaders to give us an idea of what time they would need on different bills, such as the rent review bill, for example, and how many speakers they would have. What we would like to do, that given that we know a number of speakers from both the opposition parties would like to speak on rent review, is allow as much time as we possibly can during the night sittings for that to occur.

1510

We also know, for example, that although we have been told previously that the official opposition would put up speakers for no more than two days on the GST, on Bill 1, in fact that has been extended and there are more members who wish to speak to that. So we are moving that tonight we would allow those members from the official opposition who have not yet spoken on this bill to do that. We hope that in this way all the people, the 10 people from the official opposition who want to speak on rent review and the at least 15 people from the Tory party who want to

speak on the rent review, will all be accommodated. That is the reason for moving the motion.

I have also told both the House leaders that pursuant to the agenda we have set out, we would like to finish the business on each of the days. If we finished at 7, 6:15, 8 o'clock, then we would adjourn the House and we would not proceed with any other new motions.

We have said as well that if both parties want to continue to deal with rent review, even though we have finished the business of that day, then, as the government, we would certainly allow that to proceed.

That is the reason for the motion. I say again that we do not feel it is onerous in any way, shape or form. We hope, as has happened with the last two governments when this was moved by the former government House leader, that we will not have to sit every night and that we will deal with the business of the day each day.

Mr Elston: It is an interesting adventure upon which we are embarking at this particular time. We have been in this Legislature now since 19 November, first to carry on with the election of the Speaker. This government was first notified that it was to take power on 6 September, and we were presented in very short order—at, I think, our first House leaders' meeting—with the list of must-have bills which were seen by those people on the other side of the House to be non-contentious.

Some of those people have indicated quite clearly that they found Bill 1, for instance, to be a bill of little significance, very little public import, and why did we wish to speak to it as an opposition? I can say that the signal given by the government with respect to Bill 1, the GST parallel for the Retail Sales Tax Act, was in fact for us a signal of a reversal of position, not leading a tax revolt at all but merely changing their attitude towards what they would do for the public of Ontario.

During the election we were told that they would fight the GST, that a tax revolt would be led by the member for York South with all the passion and power that he could muster in his new-found capacity as Premier.

We were left to debate a bill that said, "We are going to comply, the flags will be struck, and we will move to join our federal colleagues, our federal friends"—as the NDP is now cosying up to the Tories in Ottawa—and they do not think the loyal opposition of Her Majesty should have the right to speak for more than two days on a bill which has significance to the extent that the NDP has now withdrawn from the fight to save Canada from the GST.

This is an indication that they cannot stand the speeches that are being made by the opposition members, effective speeches which have found their mark, aimed at the heart of the conscience of the people from the New Democratic caucus who have been told not to talk at all. They have been told not to speak out in this public Parliament of Ontario, they have been told to muzzle themselves, not to join in expressing dissent from the position carried by the Premier of this province, which is to cosy up to Brian Mulroney. "Let's go and join the GST gravy wagon. We'll give away a little bit of money and we'll tell the people we are giving them \$500 million," while all the time the seals laugh with glee as they think about the

presents they will carry home to their constituents: "You get the right to pay retail sales tax and GST. We've given up the fight; we will not lead the tax revolt that was promised."

That is an important item to debate in this House, and that is why we have been debating it. Far from what the House leader of the New Democratic Party said, I had indicated that we had a number of people who wished to speak and that I was asked by my caucus to ensure that there was ample time for them to put the view each of them held on behalf of the people whose interest they represent in this Legislative Assembly.

That is as it should be. I do not wish to cut off the debate; I do not wish that they should cut off the debate. We should have been back here at a much earlier date if they wanted all this stuff to be done. If they had a legislative agenda, which they did not when they came here to take power on 6 September, they ought to have come back to this House at an early time in October. We were ready, we were prepared.

At the time of the election on 6 September, the people of Ontario were fooled into believing that those people were prepared to lead this province, but they are not. They were not prepared, they were not ready. They do not have an agenda. We have heard nothing but "more consultation" dribble-drabble from those people who represent the executive interest of that government. Today, they tell us we will extend the sitting hours so that the people of the province will be able to watch television from 1:30 in the afternoon until midnight. What is more, they are trying to break Her Majesty's loyal opposition by moving the amendment so that there is no time for a dinner break.

I approached the House leader for the New Democratic Party and asked that we be allowed to take one hour, one solitary hour, so that the members of this Legislative Assembly could break, so that they could have time to eat and drink and have some time for rest. Those people said: "No way. You don't deserve a break at the dinner hour like ordinary people." This government will not allow Her Majesty's opposition to rest at the dinner hour. They require us to speak until midnight, straight through from 1:30, while we are forced to listen to the drivel that comes from their executive council members in answer to questions that are required to show assistance is available to farmers who need the help, to the forestry industry which needs the help, to deal with issues around mortgage assistance relief for those people who need that to purchase houses in the province.

We have a lot of things to debate in this House. We have a number of items. An important part of our debating time has been with respect to their give-in to the GST under Bill 1.

Then, they wish to start Bill 4 today. That is fine. They can do that. But do you know what they want to do, Mr Speaker? They told us at 12:30 today that we would be debating Bill 4 for the rest of the day and into midnight hours, which was fine, because the House leader for the New Democratic Party has every right to tell us what she will do and her caucus has told her what it wants us to do. The majority tells the minority how to conduct itself in this

Parliament to the best of its ability, and she was given her marching orders out of her caucus meeting today.

I heard about the sentiments expressed by a number of those backbench people, who said: "Madam House leader, don't you let them carry on with the debate. You show them who has the authority. You show them who has the power and put the boots to them. Make sure, Madam House leader, that those people don't have time to eat or drink. Make sure they are starved into submission in this Parliament."

What more could be true of the majority as it revels in its new-found authority and power in a way which could not be imagined by such a novice group of individuals? They have found their mark at an early opportunity. I will say that it surprises me that they have come to this state so early in their novice careers, but we should have expected it. We should have expected that they would try to put this to us early in their time, because they are an impatient lot.

They wish to go home and show their constituents what they have done for the province, but what we want to do is show the people in this province, through televised debate, what in fact the New Democratic Party has not done. They have not launched a tax revolt with Bill 1, they have not done anything that will significantly assist the housing situation in Ontario, and we will require the time to debate this. But they are unwilling to order their business in the regular hours of sitting for this House. They say: "We don't want to hear your points of view, Leader of the Opposition. We do not want to hear your points of view during normal sitting hours. You can talk from 6 o'clock until 12 o'clock every night."

These people had all of these things they said were so important for the people of the province, but they waited and they waited and they waited until 20 November to put out their legislative scheme. Not only did they wait that long, then they would not introduce their bills so that we as opposition people could take time and examine them.

1520

We heard an equally absurd sort of consultation timetable put by the Premier of this province today when he spoke to the Leader of the Opposition in reply to questions about the constitutional, non-partisan activity in this House. He said, "I am going to talk to the leader of the third party and the Leader of the Opposition in the next couple of days, and then we want to deal with this next week."

This man who would have led a tax revolt in the populist sense, this man who would have been the populist leader of Ontario in a way which was not seen perhaps since the time of Mitch Hepburn or some of those other premiers of renown, would tell the Leader of the Opposition and the leader of the third party that they have two days to get back to him, maybe three days, before he makes a speech next week in the House about what the government will do on the Constitution.

While events pass us by, they move the motions to make us sit without a break for the supper hour each day from now until 20 December.

Mr Sorbara: Let them eat Hansard.

Mr Elston: They could have brought all of those bills into this House that were non-contentious, like the Income Tax Act—if we are to believe the House leader of the New Democratic Party; like the Manitoulin bill; like the parental leave bill; like other of those bills, amendments to the Education Act, the Ottawa-Carleton French-Language School Board Act. All of those could have been brought on the first day they had an opportunity to introduce bills in this House, and they refused. Why did they refuse? They refused because they wanted us, as opposition members, to sit here and nod our heads as servants of the majority.

There ought to be a lesson to be learned by those new people over there that while they may be told by their government House leader, by their government whip and by their Premier to nod in acquiescence to the terrible travesty of the democratic process that we are involved in here, we are not going to take our direction from the government House leader nor the government whip nor indeed the Premier. We will not be told that we have two days to do certain things if there is a significant point of view to be put. We must have time to debate this.

Obviously we are not going to win the day when it comes time to vote on the extension of hours, but if these people had been able to order their business in a reasonable manner, we could have proceeded to get a number of these bills out of the way starting on 21 November. Nobody over there had any idea of how to run this business, despite the fact that they have a number of veteran people in their caucus and in their cabinet. Why could they not have brought on 21 November all of these bills which are seen to be non-contentious, all of these bills which I and the House leader for the Progressive Conservative Party were told were mere housekeeping matters? Why could we not have been debating the principles around which those bills were associated while we waited for some of their big items to come? Why could we not have done the housekeeping? Why could the NDP House leader not have given us some opportunity to sit in our caucus and discuss the relative merits and then come to this House to give good debate to those bills instead of being told we have from 1:30 to 6 to do seven bills? That is what we were told: "Seven bills. We want them."

Interjections.

Mr Elston: All of those people think it is funny. They are in government and they can put the boots to us. I understand that, but there are some good points to be made. The Minister of Revenue sits and laughs, but at least two others of the bills are her bills and are important bills with significant housekeeping items to be discussed. There is not any question in my mind that we ought to have had those on the first possible day.

The new House leader for the government obviously is learning her way around. She has found the significant sections, the sections she will need to make sure that the majority has its way with us in opposition. They may not like the fact that we have some very serious points to make with respect to the GST bill. They may not like the fact that we do not think it is fair for them in the government, after having run an election in which they criticized the

former Premier of the province for introducing a retail sales tax cut of 1%, to now introduce their own tax cut and be running around the province indicating to real men and women and children that there is some \$500 million to be saved under their scheme. That is only true and only significant if the people have anything to buy products with. There is no saving if the people cannot afford to buy anything. There is no saving if those people do not have jobs, if those farmers do not have farms, if those farmers do not have incomes, if those people who would pay for their mortgages have nothing to pay their mortgages with. That is an important issue upon which we would like to debate the government's intention.

The government thinks it is important that it makes us sit in the evenings? We will sit in the evenings: We are paid to do that and so are members opposite. The House leader has said she wishes to go to Bill 4, but she only wishes to go to Bill 4 for three speakers and then she wishes to go back to Bill 1. She has said, "Liberals, if you want to talk about GST, you can do it until midnight." That is fair ball. If that is the way she wants to run things, then we will be here and we will speak and we will be seeing a good number of the members opposite here for the last sessional days.

That is fair, but I say there will be days when other things are required. When they ask for unanimous consent, as they have done a number of times so far, we have been agreeable. We have been agreeable to assisting the government when it had real plans to process through this Legislative Assembly and showed them to us, but there is nothing of real substance that this government has shown the people of this province. The government House leader says she wants to sit longer to talk on these bills which even she has called less than significant. The GST bill is significant to the Liberals. Maybe the Progressive Conservatives do not want to talk about GST; maybe the New Democrats do not want to talk about GST. That is fair. The members can run and hide if they wish on that issue, both parties, but the Liberals have something to say about GST. We have said it nationally and we are saying it provincially.

I know that my colleagues to my left—philosophically to my right, a long way to the right—will have a lot to say on Bill 4, but it is unfair for the member for Sudbury East to say that the House leader of the Liberal Party has said that only 10 people in our caucus wish to speak to that. I have told her that at the moment our list contains 10 names. As the debate heats up, there will likely be more than that who wish to speak to it. I realize that she was putting the number of speakers we had on the record so that at some later date she could move and say: "I was told they had 10 but now they have 12. That's all they deserve." That is not the way it works. We have an open party. We will let our members speak, unlike over there, the members opposite, men and women, who have been told to be quiet. They have been told not to intervene in the debate. They have been told to be quiet, to be diligent in their silence to an extent which would mar the very sanctity of any religious institution anywhere in this province.

I guess the members opposite might be entitled "the true silent majority," because they refuse to speak at all, but we need the debate time to put across our point. We will be diligent in doing it at all hours of the day and night, because we are entrusted to watch, on behalf of Her Majesty, the very difficult situation the majority intends to put Her Majesty's people in. Without a thorough examination of these bills, there will be other problems.

I can tell members I would love to go on much longer, but Mr Speaker grimaces with some mild degree of concern. While I know it is not because the subject matter has strayed from the topic on which we are speaking, it may be a bit of a return to his previous roots in a caucus of uncertain origin.

I can say that the diligence with which we intend to pursue Her Majesty's business is real and is heartfelt among the people here who ran in the election of 6 September and were confronted by NDP candidates who talked about the GST in a way which said or at least indicated that our then Premier would be unable to deliver. Why are those people, who were elected as New Democratic candidates to be the members from their ridings, not standing up today saying: "Our Premier said he would lead a tax revolt. I'm upset that he is not leading such a tax revolt." Why? Because they are diligent in their silence, because they will not speak now that power has fallen close to their laps. They are, even now, after an initial wakened hour, slumbering under the whip of the House leader and her chief government whip.

1530

I would just like to add a few words. I have found an interesting Hansard that the House leader and the Speaker may be interested in hearing.

"I am not going to speak for two hours, so I do not have to worry about the rules coming into effect and cutting me off, but I do have a few comments to make about this since this is the first time that we have proceeded under this rule, the new rules having just been in effect for this session," speaking as he then was, the House leader of the New Democratic Party, the member for Windsor-Riverside, on the first use of the extended sitting time.

"I think it is going to be important for the government to review the planning that has gone into this session, or in some cases the lack of planning that has gone into this session, and why it has become necessary for us to use this rule, which I would hope would not become the normal course in the last two weeks of every session"—but which of course this government speeds on its way to become the rule of this Legislative Assembly.

"If we have a well-run and well-planned House, we should be able to avoid evening sittings, and I think we should do that to the best of our ability." I quote again the member for Windsor-Riverside as then the House leader of the opposition New Democrats.

"Sitting up until midnight for two weeks straight before Christmas, at the same time as this is a very busy season back in our home ridings, is not a very healthy process to follow in this place. However, this was part of the give and take under the new rules. We are not going to

oppose this violently, but I do think some review is necessary."

How quickly they do turn on their thoughts of philosophy. Is it not clear that this is really the badge which this government party is wearing? The things for which they stood in opposition—the fairness, the consultation, the ability to work for the little man, the helping hand for those who could not help themselves, the ability to reach out and provide interest assistance for farmers and for home owners, the desire to assist in doing something for the environment in a way which would be real, speaking in fairness in the operation of the House—how quickly they do forget. And now here we are, in just less than a month of sitting, they turn to the extended hours and do the very thing that the House leader for the New Democrats, when he was in opposition, said should not be done.

They are making a mockery of debating in this House. They had the time to introduce all of the bills. They had the time to let us deal with them in a reasonable fashion, and they say, "We want seven bills in an afternoon and oh, by the way, if you really want to talk about one of the most important pieces of legislation we've seen in some time, which is Bill 4 on rent control, you can speak about that at night if we get the rest of the stuff done." I think that shows gall which is actually beyond what that party had been when it was over in opposition. But they seem to have accepted their new role with a new-found lust after power and authority in a way which I would not have thought possible.

I am exercised by these people moving this today, not so much just that we sit to midnight but the fact that they decide they will do one thing at 12 of the o'clock, they will do another at 12:30 of the clock, and after we have gone about and arranged our business so that speakers who were arranged to be here this afternoon were told to go away, we are now told that they have changed their minds and those very people for whom phone calls were given to tell them to cancel their speaking engagements so that they could be here tonight have been told now that, "You can go to your speaking engagements, but the other people have to be brought in here."

What kind of fumbling around is this with the government business? When will they ever make up their mind? I know there has been some need to accommodate the needs of the Tory party, and I think that is great, because it has an important social function tonight for its caucus, but all that should have been well known before we were told to go and tell all our people that they were not needed to speak on Bill 1.

No, they think it is a joke. They think that somehow they can run around and cause us to try in our co-operative manner, cancel some speakers and then have to bring them in again from other places. Let's think about what this government is doing with this bill, with this resolution. They are moving to make it a rule that we will sit every night in the two weeks leading up to our holiday break. And for what—to cover their stumbling and bumbling and fumbling around, to cover the fact that they have nothing in their plans for the agenda of this session, that they have

nothing done as ministers, that they have nothing arranged as a caucus to proceed with the business of the day.

Mr Speaker, if you examined all of those people over there, you would probably find out that they do not even have all their staff in place yet because they cannot get around to getting their own business affairs done. I hear a whole bunch of them over there saying, "Oh, I got mine, I got mine." "How many have you got?" I heard one say. There are a number of their ministers over there who have not really got down to getting their affairs in order. How can they tell us that we ought to sit nights while they figure out what in the world they are going to be doing?

Give us reasonable notice. Let's get on with the business. Because they have the numbers and because the majority will tell us that we must, we will sit in this House after 6 o'clock tonight without a break for dinner. We will sit till midnight, and we will sit till midnight tomorrow night and the next night, and we will carry on and do the business of this place and we will not be deterred from doing Her Majesty's loyal opposition's business.

Before I sit, I wish to move that the motion be amended by allowing one hour for dinner beginning at 6 o'clock this evening.

The Deputy Speaker: I expect that you will put this in writing.

Mr Eves: I am going to be rather brief in my remarks. I do want to get a few things on the record, though. While I could concur with my colleague the House leader for the Liberal Party that perhaps the government could have taken a more organized or reasonable approach with respect to legislation, unlike him, I do not see any sinister plot on behalf of the government waiting until the eleventh-and-a-half hour to introduce legislation. I just happen to think that they were totally disorganized and quite frankly did not have their act together until 6 December. But it is the government's prerogative, under the new rules that we have agreed to on all sides of this House at other times, to ask for extended sittings no later than midnight during the last eight sessional days of each session.

While I would have preferred a more reasonable approach with respect to perhaps a break between 6 and 7, or perhaps a limit as to how long the House could sit other than midnight, that is obviously not to be. The government is intent on proceeding with the motion the way it is worded. We did receive notice of this motion being tabled last Thursday, and it has been tabled in accordance with the standing orders, and it is indeed in order.

I would like to direct a few comments, though, with respect to this matter, with what I see is some interesting—I was going to say perverted, but I will say somewhat unusual logic on behalf of the Liberal House leader. Bill 1 is a bill about the retail sales tax in the province of Ontario. It is not a vote on the goods and services tax. That is done, for his information, in the House of Commons in Ottawa. We are in Toronto in the Ontario Legislature, not in the federal House.

Mr Sorbara: We thought we were in Ottawa.

Mr Eves: I know the member does not realize where he is. That seems to be the problem right here right now.

I do not know why the Liberal Party of Ontario would want to discuss this bill. Quite frankly, if I were they I would be extremely embarrassed to drag this debate out as long as they have, because what this debate is about is a tax on tax.

Is it their basic philosophy that they should be taxing taxes and gouging taxpayers or not? Yes or no? Obviously they have been talking for three days because they believe that you should gouge taxpayers and you should tax taxes and have double taxation. That is what this legislation is about. That is what this Ontario legislation is about. We are in Ontario, we are elected to the Legislative Assembly of Ontario and we should be discussing Ontario business.

Mrs Sullivan: That is precisely what we are doing.

Mr Eves: I see I have struck a raw nerve over there. Speaking of raw nerves, the former Treasurer of Ontario, now interim leader for the third time, if I am not mistaken, of the Liberal Party, initially went to Ottawa and agreed—if you want to talk about whether they should be embarrassed about this piece of legislation or not—with the Minister of Finance, Mr Wilson. He was one of the seven provincial treasurers who agreed to combine the retail sales tax and the goods and services tax but then came home and had his knuckles slapped by the member for London Centre, I think it was, who is not here any more. What was his name? Peter Davidson, as they called him on Wall Street and in Washington. I see he obviously made a big impact there.

The reality is that the Treasurer thought it was a good idea to combine the two but then came home and was told by his leader: "What are you doing, Bob? We might want to run on this in the next provincial election so we could reduce our caucus from 93 to 36. How stupid could you be?" I wonder who is stupid now.

If you want to talk about being on anybody's philosophical right, as the Liberal House leader does, I can remember his jackboot, Attila the Hun approach to the positions of this province. If you want to start talking about philosophical right and left, if you go any farther right you will drop off the end of the earth, as the Liberal House leader did in his then portfolio as Minister of Health in this province.

Although we would agree with the fact that this could have been done in a more organized and orderly fashion, we do appreciate that the government is somewhat disorganized. They did this according to the standing orders and we see no reason to object to this motion.

1540

Mr Drainville: It is a pleasure indeed to be able to respond to some of the red herrings that have been hurled from the opposite side of the chamber today. I have to admit that as I listen to the hyperbole and the grandiloquent statements that are made by the honourable members, particularly the member for Bruce, it reminds me of some of the promises that have been made by the members across the way. I think of the member who spoke recently indicating that the former Treasurer of Ontario was himself in favour of the GST and that continues to be a problem with the Liberal Party, both in this province and in the

federal House, that they do not know which side of the issue they are standing on.

It has been said by some members opposite in the last few days, whether during question period or during debate, that somehow the agenda for this government is not clear. If it is unclear for them, let us try to make it clear, if we can. The reality is in terms of the Agenda for People—members remember that—we know that between the Liberal Party and the Progressive Conservative Party what we have are competing agendas. They do not want an Agenda for People. They want an agenda for the rich or they want an agenda for the privileged or they want an agenda for other people. But let us say that we are very clear in this party about whose agenda we are working on, and that is the Agenda for People.

The minister has been clear in this House that what we need to do is to provide a framework for legislation. We have done precisely that. We began with Bill 1 and what did we see? The Liberal Party, in its great wisdom, standing up in this House and every member seeing it as his divine right—never mind democratic right; it is their divine right—to speak on this bill. We are facilitating that. We are saying if you want to speak on Bill 1, we will give you time to speak on Bill 1. We will sit at night.

The member for Bruce has indicated that we nod in acquiescence to what our ministers say. I would not say that is true. I think we nod in agreement at the good sense they bring forth in the direction we are moving in terms of our Agenda for People.

Further on, the member for Bruce indicated that we are silent. Now, sometimes silence is necessary. I remember years ago my grandmother used to say to me, "Dennis, sometimes it's better to be silent than to share your ignorance with people." I would give that particular bit of warning to the member for Bruce and some of the other opposition members. We hear these lugubrious outpourings every day from the opposition. What do they amount to? They say that we have forgotten our agenda. We know our agenda. They say that we are not bringing forth legislation. The legislation is here. They want to speak about it. We are giving them time to speak about it today and through the next few days.

As to the right that we have, let there be no doubt about this: We are bringing this forth according to the rules of the House, rules that have been agreed upon by all the parties. The Liberal Party may not like those rules—it agreed to them at one time—but the rules are reasonable because we cannot allow members opposite to feel that they have the full right to co-opt what the government's agenda is.

They have a right to criticize, yes. They have a right to debate, yes. They will be given that right in the nights ahead. But they do not have a right to indicate that they have control over the agenda. It is the government of the day that has been elected by the people of this province that has given its indication as to the direction it is going.

Let us be clear that this is a direction that is going to lead us, on 20 December, to having passed the legislation that we need to pass to be able to do the work in the new year that we are intending to do.

The Deputy Speaker: I have just received the motion from the member for Bruce.

Mr Elston moves that the motion be amended by adding thereto "that one hour be allowed commencing at 6 o'clock each day for dinner, and that the House resume at 7 o'clock."

Mr Sorbara: I for one am not surprised that the government members have just voted down an opportunity to grab a bite to eat during the dinner hour over the next few days. That is okay. If that is the way they want it, that is the way they will have it. As I said earlier, I guess we can eat Hansard during that period.

We are experiencing in the first two months of the first session of this Parliament a government which is undertaking what all agreed, and I remind my friends that our government House leader, the member for Bruce, quoted the passages from the member for Windsor-Riverside when he was the House leader for the official opposition about how draconian a measure this is. What we see now is the government House leader simply unable to manage effectively the business of this House and requiring at this Christmas holiday season that all of us stay here and work until midnight. That is okay because we are prepared to do that. But the sad reality of it, Mr Speaker, is that if you look at the Orders and Notices and the bills that the government has on it, none of these bills has anything to do with the agenda that the New Democratic Party proposed when it was campaigning. Nothing here represents one law, one bill, one project, that reflects what that party said during the election campaign.

Let's look at the Orders and Notices and let's look at what the government is asking us to do. It is asking us to stop talking about Bill 1. It does not want to hear from us any more on the goods and services tax and the retail sales tax. The government, Mr Speaker, has had one speaker—I encourage you to check Hansard—other than the minister, speaking on this bill. I want to tell the members of the government party that they were not elected by their constituents to remain silent. This is a parliament. This is a place where, based on a mandate from the people who elected us in our ridings, we come to speak our views.

My friend the member for Durham East did stand up and speak, but the others are remaining silent. Why is that? The members of that party, within two months of being elected and forming a government, are simply bowing to the wishes of those few people in the Premier's office who decide that they are going to get through with this agenda. But what is the agenda? Bill 1, "Resuming the adjourned debate on the motion for second reading of Bill 1, An Act to amend the Retail Sales Tax Act." What does it say? It harmonizes our sales tax with the GST. But what does it matter, I say to the government House leader, when we pass this bill? It is retroactive. Why are we staying here to get this done before Christmas? If we pass it two years from now it does not matter because it is retroactive, like all other tax bills.

1550

There is no urgency in that. Nobody's life is going to change as of Christmas if we pass the bill. No unemployed

worker is suddenly going to get a job because we pass this bill. Yet the government members do not want to speak about it. They do not want to have their say. They do not want to take this opportunity to speak to their constituents in this Parliament, which they were democratically elected to do, to have their say on the GST. Well, they should forgo that.

I want to tell my friends that the bills that are going to come up are going to be a lot more controversial than this, and if the government shuts them up on this bill, then I will tell them something. For the bills that are coming down, they will not even be in the House, because they will be so embarrassed at what their government is doing.

Now we have a motion before us to keep us here until midnight tonight, tomorrow night, Thursday night and all of next week. We are prepared to do that because we have to get these bills done.

The second item on Orders and Notices is "Second reading of Bill 4, An Act to amend the Residential Rent Regulation Act." They call it in their document the rent control bill. I am glad we are going to get this done before Christmas, or the government wants to get it done before Christmas. That is why we have this motion. That is why two months into this Parliament we are going to be sitting until midnight every night.

But I encourage government members to read the bill. It is retroactive. It does not matter when they pass it. It does not matter if they say anything about it, because their minister has told them that they are going to vote in favour of it. If it is passed in the spring session or the fall session or the first session in 1992, it does not matter. It is retroactive. It does not matter what the Parliament says. Well, we are not giving up our right to have our say on these bills.

Let's look at the next bill, the third order. "Second reading Bill 9, An Act to authorize borrowing on the credit of the Consolidated Revenue Fund." Have government members read the bill? It gives the Treasurer some authority to borrow some \$3 billion.

I want to tell my friends that I did not see that bill on the document called An Agenda for People, but if that is what they think the priority is—they have just been elected. They have a massive mandate, 74 members, a great Agenda for People. It is not here. The first two months and nothing is here having anything to do with the Agenda for People.

I am reminded, because my friend the member for Parry Sound reminded us, that we are in Ontario. But I remember when Lester Pearson was elected as the Prime Minister of this great nation in 1963, he had 100 days of action. He had all of the stuff that he had promised Canadians on the order paper within 100 days. With a minority Parliament we got the Canada pension plan. We got an unemployment insurance plan. We got a universal medicare system with a minority Parliament. He was elected, he came into the federal House of Commons and he brought forward the legislation.

What do we have? We have on the order paper a number of bills that the government has said represent an urgent priority for it. We have been through three. None of them relate to An Agenda for People, but we are going to

stay until midnight every night to get it accomplished. One of these days we will see a bill introduced that has something to do with what that party talked about when it campaigned.

Let's look at the fourth order. Guess whether this bill has anything to do with An Agenda for People: "Second reading Bill 10, An Act to amend the Corporations Tax Act." My goodness, another tax bill. Have a look at the bill. It is very lengthy and virtually every provision in it is retroactive. Some of the provisions will apply back to 1981. Read the bill. But we must stay here every night this week and next to get this retroactive legislation passed, because somehow it has something to do with An Agenda for People that those members promised the people of Ontario when they were campaigning.

I think maybe if we go through the order paper, we will get something that has something to do with the agenda that the New Democratic Party promised when it was campaigning. Order 5: "Second reading Bill 11"—we are moving up—"An Act to amend the Income Tax Act." Again the Minister of Revenue asking for second reading of this bill, a tax bill.

This is interesting, because as I recall the campaign, there was, let's see now, provision for a fairer tax system with a minimum corporate tax of 8% of income. It is not on the order paper. What did we get? We had the Treasurer make an announcement about creating something called a Fair Tax Commission. We will want to study it. That is not even on the order paper.

The Treasurer told us today that the commissioners are not even going to be appointed by order in council. He will do it himself. Cabinet ministers? By the way, if members have not learned, if it is not order in council, he will do it himself and he will let members know who he appointed. If it is order in council, he will bring it to cabinet, but we heard today that members are not going to hear about it.

The fifth order that we are going to be dealing with as we sit till midnight every night has nothing to do with An Agenda for People, but maybe we will get on with it when we get to the sixth order. Let's see what that says. "Second reading Bill 12, An Act to amend the Education Act." My goodness. I wonder what that has to do with An Agenda for People.

I think I recall hearing that An Agenda for People promised a number of things on education. I am going to be speaking about that later on during this session, but I remember quite clearly that the government would be moving urgently if elected to fund school boards from the consolidated revenue fund to the tune of 60%. They had better get started. There is nothing on the order paper. The sixth order does not deal with that. I know. I have had a look at the bill.

The seventh order: «Deuxième lecture Projet de loi 13, Loi portant modification de la Loi de 1988 sur le Conseil scolaire de langue française d'Ottawa-Carleton», the Minister of Education's bill. What is that? It is a little housecleaning. It has got to be done. Sooner or later, it has got to be done. It was a bill that the previous government, the government that I was a part of, had proposed, I think, in this Legislature, and we will get to that. It does not have

anything to do with An Agenda for People, what they were elected to do.

Mr Speaker, I remind you—you know the rules—but I will remind the other members of this House that if they were to introduce a bill tomorrow that had anything remotely to do with An Agenda for People, would we be able to deal with it in this session of the Parliament or in this sitting of this session? No, the rules prohibit it. We are into the last eight days.

We are going to midnight. That is great. I am ready to work till midnight every night. I just made a phone call, or asked for a phone call to be made home to tell my kids that I have got a democratic duty to speak in this Parliament and be here every night until midnight. I hope they are here to join me. I hope, notwithstanding—

Interjections.

The Deputy Speaker: Order. I find it very difficult to follow your debate because of the noise. Let me explain. Order, please. I would ask that you tone down your conversation.

Mr Sorbara: Thank you, Mr Speaker. I appreciate your help and I hope perhaps if I speak a little bit more slowly, I can overcome the interjections from the members over there.

We were talking, Mr Speaker, when you rose, about the second reading of Bill 13 and about how important this was. I was saying at that time, reminding the government members that even if one of their ministers was to introduce now, in these last eight days, a bill that related to An Agenda for People, the rules prohibit us from getting to second reading. So what is going to happen? "Oh, well, we'll carry that over to the spring session."

Thousands and thousands of people are losing their jobs every day. The welfare lines are getting longer. The food banks now have a little bit of money, even though it was against their policy. But the issues that we talked about—I remind you, Mr Speaker, that the now Premier, during the election campaign, had the courage to say that this province was in a deep recession.

He comes to this Parliament and he does nothing in the first two months of this Parliament to deal in any respect whatever with that deepening recession. He asks us to stay until midnight to deal with what they themselves describe as routine business. We are prepared to be here, and if one of the pages would bring me a glass of water, then I would be able to continue my analysis of the order paper.

1600

The eighth order. I enjoy the way the clerks call these orders, when the government House leader rises and mentions the eighth order and then a clerk will say, "The eighth order, second reading of Bill 14, An Act to amend the Employment Standards Act with respect to Pregnancy and Parental Leave, the Honourable Mr Mackenzie, the Minister of Labour." Great stuff.

I have had a look at the bill. I know what it says. As a matter of fact, believe it or not, some of the new members of the government party will be a little bit surprised to hear this, but I helped craft the bill. This matter has been before the Ontario Parliament for quite some time. This matter

has been before the government of Ontario for almost three years. This matter was taken up in the last Parliament. This matter is supported by all parties. This matter was not referred to in An Agenda for People because we all knew that this bill was coming forward.

My friend the Minister of Labour was for a number of years, both in regular afternoon sittings and in evening sittings, when the extraordinary rules had us here till midnight, as we are going to be from now until Christmas, notwithstanding that some of us would have preferred to be with our families but we are going to deal with this routine business—and you will recall this, Mr Speaker, because you have been here for a while—one of the most outspoken advocates of dramatic reform on the labour front.

He used to sit in this area and ask me questions and become furious that I would say things like, "The Workers' Compensation Board is an independent agency and I have no right to intervene in that case, so I am sorry to tell the member for Hamilton East that I cannot help him with his problem." He would stand up in a supplementary and he would shout and scream, "How could the Minister of Labour be so callous?"

What did we hear today from the Minister of Labour on a lobbed question from one of his own members? He sort of cowered a little bit when asked the question about the delays in the Workers' Compensation Board. He said—maybe he will say it again as we sit here till midnight—"The Workers' Compensation Board is an independent agency and they are hiring people like crazy. I can't do anything about the backlog, I can't do anything about the administrative chaos and I don't have any particular plans, although we're working on it."

This is the same MPP who, for I think some 15 years, stood up in this House and, day after day and month after month and year after year, demanded reforms in the workplace on behalf of workers. More than that, he introduced bills: bills dealing with the minimum wage, bills dealing with occupational health and safety, bills dealing with the workers' compensation system, bills dealing with—here it is, Mr Speaker—plant closure justification, a key plank in An Agenda for People. We have not seen the legislation yet. "Oh, well, we'll get around to that," they say. "Sooner or later we're going to have a bill dealing with the workplace in some form or other."

My God, this is the labour government. This is the party that is described by the trade union movement as "our parliamentary wing." Talk to Gord Wilson. He speaks with great pride about the election of 74 New Democrat members. He says, "Speaking on behalf of the trade union movement, we have been elected." Yet on the order paper, in the first two months of Ontario's first labour government, we have nothing that reflects An Agenda for People, the trade union movement or anything remotely to do with reform in the workplace.

What we do have in the eighth order, second reading of Bill 14, An Act to amend the Employment Standards Act with respect to Pregnancy and Parental Leave, is a bill that has been under the jurisdiction of myself as Minister of Labour. I was fortunate enough to start off the process. It is

progressive legislation, it is good legislation, and I look forward to debating this into the wee hours of the morning if we have to in this House.

But what does it have to do with urgency? It too has—guess what?—retroactive effect. There is no urgency, there is no need to sit until midnight but, if the government House leader wants it, we are prepared to do it. We are prepared to sit even if they do not support the motion for a dinner hour. There are other matters that we will be debating as we move through the—

Mr Jackson: You're biting into my dinner hour, Greg. Let me get up and speak.

Mr Sorbara: You can get up and speak pretty soon. I am going to be done in a while.

The ninth order—check this one out—is very progressive legislation representing the trade union movement and the labour government's Agenda for People. Here it is: "Second reading Bill 15, An Act respecting Land on Manitoulin Island, Barrie Island and Cockburn Island," from the Minister of Natural Resources.

I remember the Minister of Natural Resources, who is also the minister responsible for native affairs in this province, standing in his place as a member of the opposition and actually coming up with some creative questions and creative suggestions about how we might better manage the natural resources of this province.

At that time he was an eloquent spokesperson on behalf of native people, as was the incumbent minister at that time, the member for St George-St David. What have we heard from him so far? A bill respecting land on Manitoulin Island, Barrie Island and Cockburn Island and, in the form of a ministerial announcement, the completion of an important agreement with native peoples in this province negotiated for the most part by the previous minister, the member for St George-St David.

If we need to stay until midnight to deal with that bill, I must admit I have not checked to see whether it is retroactive, but we are going to get to it.

The tenth order keeping us here until midnight is "Second reading Bill 16, An Act to amend the Municipal Elections Act and certain other Acts related to Municipal Elections" from the Minister of Municipal Affairs. That one deals with a number of things including conflict of interest, I believe, including conflict of interest as that notion relates to municipal elections. Surprise, surprise. It is a project, it is a bill, it is a policy that was primarily the responsibility of the previous government, under a previous minister, under a previous political party.

I understand the problems of the Minister of Municipal Affairs. He got into his office and the bureaucrats said, as they must do: "This needs to get done. Move this forward. Put An Agenda for People aside for a moment. We have got business to look after." That business is going to take us through a second reading of Bill 16, An Act to amend the Municipal Elections Act and certain other Acts related to Municipal Elections.

It is going to take us until midnight every night this week and every night next week, and I probably will not get any Christmas shopping done, but it does not matter. It

does not matter, because it is not one of my favourite things to do in any event. I generally shop on the day before Christmas and I do not think we are going to be sitting then, although we will be sitting until midnight most nights this week and next.

What is of great interest here under the tenth order, second reading of Bill 16, is that it deals with conflict of interest at the municipal level. If we look at An Agenda for People and if we listened to the speeches that the Premier has given in this province, and I think even in this House during this Parliament and the previous Parliament, he promised us a new conflict of interest bill for this Parliament, for his new cabinet, for his new caucus and for all of us, the 130 of us who have been elected to carry out this democratic debate in this province.

Do we see that bill? Do we have any indication at all that the Attorney General is about to bring forward a bill? He has a terrible conflict of interest in his office. He has someone working for him. He is responsible, by the way, for the Law Society of Upper Canada. This is really interesting. This is fascinating, particularly from a political party that wanted to paint itself as the grand crusaders on conflict of interest.

I remember this very well, the member for York South, now the Premier, painting himself with the brightest of white paint. What is it called? White-out. He tried to black us out with his white-out. He talked about conflict of interest and said that when he was elected there would be a new bill in this House to really enforce on conflict of interest.

1610

Now what do we see in the office of the Attorney General? I see a conflict of interest that is blatant, rather stark and rather unfortunate, but has the Attorney General done anything about that? Absolutely not. Let me explain. I will be explaining this for a while and perhaps during some of the evening sittings that we are going to be having over the next couple of weeks.

The Attorney General of this province is responsible for setting policy in respect of the Law Society of Upper Canada. The Law Society of Upper Canada is a self-regulating body. It has a board of directors. They are called benchers. I do not know why they are called benchers. The head of the board is called the treasurer. I do not know why the head of the board would be called the treasurer, but as a lawyer I understand that we like the archaic aspects, so the benchers, their board of directors, is a group of some, I think, 44 men and women who are responsible for governing the Law Society of Upper Canada, but the Attorney General has overall authority.

The act that creates the Law Society of Upper Canada is under his jurisdiction. If he wants to change that act, he has the legislated responsibility to bring those changes forward. You would think that when looking for policy advice on the Law Society of Upper Canada, the Attorney General would want an impartial view. Look at this minister's staff to look for a conflict of interest. The Attorney General has as his senior—

Mr Drainville: On a point of order, Mr Speaker: I fail to understand the turn of mind of the member opposite when he talks about the minister and the Law Society of Upper Canada and what that has to do with the motion that is before us.

The Deputy Speaker: Many others did exactly the same thing.

Mr Sorbara: The way it relates is that one of the bills we are going to be debating under this motion—you want to be here until midnight. I think I am going to look forward to being here until midnight. I will have an opportunity to speak. You folks are going to have an opportunity to sit and listen. Do you know what? We are going to enjoy this more than you.

The reason I bring up the conflict of interest in the office of the Attorney General is that we are going to be dealing with the conflict of interest bill, but not the one you promised to bring forward, during the election campaign and even after the election campaign. If you want to bring forward a conflict of interest bill, you should also be thinking about cleaning up the conflicts that you have in your own shop.

The Attorney General has on his minister's staff—

The Deputy Speaker: Please address your remarks to the Chair.

Mr Sorbara: I am sorry, Mr Speaker, you are absolutely right.

The Attorney General has on his minister's staff a bencher of the Law Society of Upper Canada. How can that person, how can a bencher—it is like if the Minister of Health had his senior—

Hon Mr Hampton: On a point of order, Mr Speaker: I believe you have already reminded the member to stick to the issue. I wish you would ask him to stick to the truth. The fact of the matter is that my policy adviser is a former bencher. She is no longer a bencher. Before the member makes those remarks in the House, I wish he would be sure of the accuracy of those remarks.

The Deputy Speaker: This is not a point of order.

Mr Sorbara: I would love to stand to be corrected by the Attorney General. I will just say to him—through you, Mr Speaker, of course, because all of the comments that we are going to be making during these evening sittings are going to be referred through you to the rest of the House; I am going to look forward to them—I just want to tell the Attorney General that as of two weeks ago, when this individual was at that time on the political staff of the minister, she was at that time, according to the administrative officials of the Law Society of Upper Canada, still a bencher of the Law Society of Upper Canada.

If she has since that time resigned, that is great. I am glad to hear that, but I would like the Attorney General not to suggest in this House that I was misrepresenting the truth, because up until two weeks ago that was the truth. If there has been a correction of that conflict, that is great, that is wonderful. I just want to tell him that there are some other conflicts over there that need to be corrected and perhaps it is the case that we are waiting for the conflicts

bill until all the messes that are in the ministers' offices are cleaned up.

In any event, we will be here debating Bill 16 for second reading, An Act to amend the Municipal Elections Act and certain other Acts related to Municipal Elections. That was not on the Agenda for People. Here we go with the 11th order. It is interesting, by the way, that there are only 11 government orders. I would have thought that the conscience of the nation, as the New Democratic Party likes to describe itself, having finally achieved the opportunity to make the rules rather than criticize them, would have—

Hon Mr Hampton: With you as leader of the Liberal Party, we're here for ever.

Mr Sorbara: I just want to tell my friend the Attorney General that I do not mind the interjections. If he wants to cross the floor and join our party, that would be great for him because we will have more fun over here than he can ever imagine.

I would have thought that the New Democratic Party, the party of Tommy Douglas, the party of David Lewis, the party of Stephen Lewis, and yes, the party of Bob Rae, having come to power would have brought forward, in its first two months in office, at least one piece of legislation that reflected its new agenda.

There are 11 orders. We have been through them. Most of them are retroactive. Most of them arise from initiatives undertaken by the previous government, and now we get to number 11. Interestingly, this is a bill of the Attorney General. We were just talking about the Attorney General and how he has cleaned up the conflicts in his office. I want to tell him, by the way, that I have a very high regard for the policy adviser who advises him. She is a very intelligent woman and I am glad, if I understand correctly, that she has now resigned her position as a bencher, because it would have been impossible to advise him. It is the clearest of conflicts. Think of it. Sitting as a bencher, being part of the board of governors for lawyers.

Hon Mr Hampton: I am a bencher, ex officio. I am a bencher of the law society.

Mr Sorbara: You are a bencher by virtue of the statute, my friend. I want to tell you that—through you, Mr Speaker; of course not directly to him. I just want to say that the 11th order is a project presented, introduced and sponsored by the Attorney General. The 11th order reads as follows:

“Second Reading Bill 17, An Act to amend the Law related to the Enforcement of Support and Custody Orders. Hon H. Hampton.

«Deuxième lecture Projet de loi 17, Loi portant modification des lois relatives à l'exécution d'ordonnances alimentaires et de garde d'enfants.» Important bill, dramatic bill: going to give the government, through its agency—we are going to change the name of the agency—the power to automatically deduct support payments from the paycheques of any individual who is subject to an order for support in this province. Dramatic intervention: administrative nightmares like you cannot imagine, Mr Speaker, even though I know you have great administra-

tive abilities and understand the administration of government like few others in this House. Lots of problems with it.

We are glad that the honourable the Attorney General has introduced this bill into the House. By the way, I had a look at it. I do not think it has retroactive effect, so it will be important to get to it because the rights—do the members know what retroactive means? It means that the rights and responsibilities accrue not from the time the bill is passed and given royal assent when his honour the Lieutenant Governor sits in the chair, Mr Speaker—the very chair you are sitting in—and gives his consent to these bills. In a retroactive bill, the law notionally has come into effect a long time ago. That is why we do not really need to sit until midnight in this Christmas season to debate these bills. They are all retroactive. We could get to them in March.

The new members could exercise their vocal cords and begin to discharge their democratic responsibilities and speak in this House rather than remain silent, shut up. Ross McClellan, I think, told them all to shut up. They were elected to support the government, to support the Premier, not to describe their views of these issues. They are all going to be silent, are not going to have anything to say.

But I was talking about the 11th order, the dramatic bill that the Attorney General introduced.

Hon Mr Hampton: The one you guys sat on for two years.

Mr Sorbara: That project was a project that was under the jurisdiction, for a year, by the previous Attorney General and the previous government. In fact, I read the cabinet submissions. I was there at the time we approved it and I was there to examine the design of this bill. It is nice to see that this new government is completing some of these projects. That is their responsibility. They have a responsibility to their bureaucratic masters to make sure that the stuff that is waiting to be done gets done and introduced.

1620

I am at the 11th order, once again a project of the Liberal government that has been completed by the new Attorney General. I congratulate him on doing it. As a matter of fact, he actually did tinker. I reviewed the cabinet submission again and I see that he did tinker a little bit with the proposal before he introduced it. He gave it his own touch, as did, by the way, the Minister of Labour on the parental leave bill. He gave that his own touch. That is nice. It is nice to see them do that. But these bills have nothing to do with the election campaign and the mandate that party received during this campaign. I know it was only 37% of the people who voted for them, but it is a mandate none the less, just like Lester Pearson in 1963, who although he only had a minority government saw it as a mandate for reform—medicare, unemployment insurance, Canada pension and he never had a majority. He never had us two to one. They are 74, we are 36; two to one and a couple more.

Mr Carr: Don't forget about us. We're here too.

Mr Sorbara: The Tories have become irrelevant on the political scene. I am not going to count them in in this enumeration.

They have a mandate. How in the world, having sat here until midnight every night this week and next, are they going to go back to their constituents, I ask them, and report on what they have done? Of 11 bills, all are part of the previous administration's plans for this province. There is not one that represents one commitment. If they would just bring in one, if we could debate for second reading just one—now of course we cannot, because the standing orders prohibit us, even if they introduce a bill, from getting to it notwithstanding that we are going to sit here until midnight.

I have been through the order paper and I think it is an important order paper. I think the bills on it are important. I do not see too many of them that I would be moved to vote against. All of them are ones that I want to speak on. That is what we are elected to do. That is what I intend to do, and if this motion passes I expect to do it each night in this House from now until we recess for the holiday season.

Mr Jackson: I appreciate the opportunity to comment briefly on this resolution before us. I can tell members what a test of my patience it is to follow the member for York Centre, as a former candidate for leadership of my political party who was unable to sustain himself through that process. I would like to give some advice to the member for York Centre, that it is far better, in this House at least, to approach his speeches by being to the point rather than to speak at length. Perhaps in his attempt at leadership he will keep that in mind. It is a rather scary thought that he intends to be here every night until midnight to go on as he has in this Legislature. One questions our ability to sustain ourselves during that period, but it also begs the question, just how busy an MPP is this guy if he can be in here for an entire week until midnight?

I might even go further to suggest that it was interesting that the Liberals are more concerned with their own stomachs in sustaining a free hour for a meal than they were for speaking up for the hundreds of individuals who will be trapped and employed in this building, some sustaining overtime wages, many who will not. There are serious cost implications and an unfairness, I might add, to workers in this building whose obvious concerns were not part of the equation when the government approached this amendment.

The reason I raise the point is that traditionally it has been the NDP members who jump to their feet whenever there is a suggestion that we meet late into the evening. The NDP members are always jumping to their feet to defend the people who work in this building, yet not only did they not, neither did the Liberals, incidentally, so I guess it falls to our party at least to consider the people who work in this building somehow in the equation.

I will not trust my memory entirely by trying to quote some of the eloquent speeches from some of the members who are now on the executive council, who are in the House today, who spoke to those motions on two occasions, but if any member wishes to take a moment and

read Hansard, he or she will be rather impressed by the very strong position that was put forward by the NDP in objection to these kinds of moves.

I am fascinated by the Liberal approach since the Liberals were on that side of the House, imposing on the opposition and all members of this building who work on behalf of the taxpayers. I was very surprised to hear the Liberals now objecting so strenuously when in fact it was falling upon deaf ears two short years ago.

I really think it is worth while that we consider a couple of very simple points about this. First of all, it has been suggested that there is a precedent. There were two precedents mentioned, but at the time they were not precedents. These were extraordinary circumstances, so it begs the question, why is it that in the last four years we take three occasions to work outside of our own House schedule and our House rules in order to do these extended sittings at a time of the year when, quite frankly, the people who work in this building would very much like to be with their families?

There is a problem if each year we are going to be sitting in December and sitting late until midnight for two and three weeks prior to Christmas. But there is a good reason, and the reason has not been mentioned in the debate. It is a reason that was raised by the NDP when the Liberal government of the day was attempting to do a similar motion. It is not, as the member suggests, what was on the order paper but what is not on the order paper, those things that are coming which this government does not wish to be in this House in January to deal with.

Now there is nothing wrong with this. I want to say to the government that it has the right to order up its business in any way it wishes. It has the right to withdraw legislation and promote legislation at will, but it does have a moral responsibility to call it what it is when it is being presented here.

I happen to believe that there is no great sin for us to be sitting in the month of January. As all members have stated, I feel that this is important legislation that we have in front of us, but there are certain things that will occur in January and it is the government's clear intention not to be here in this forum where we have a process of accountability. The real essence of democracy is not solely what goes on on the side of the government, but that which we mutually work on when we share the concerns of the citizens of this province whom we were all elected to democratically represent as we openly debate, improve, modify and then approve those bills.

The new NDP government will be proceeding with many regulations during a rather lengthy period—January, February and most of March. It begs some questions about how much time the government intends to sit in the Legislature. The citizens of Ontario last saw a Liberal government in this chamber back in June of last year. We went through July and August with an election in September. It was not until October that we had a cabinet installed, and it was not until late November that we had a throne speech. We are only going to sit in this House for four weeks and then we are going to prorogue for January, February and most of March.

We will have only given the citizens of this province four weeks-plus of government in about an eight- or nine-month period. That is quite unacceptable in this province. It is unfortunate that the public is not being taxed in direct proportion to the amount of time we sit in this House, because then maybe they would be getting some value for their dollar, but the less we sit in this House, the more we spend.

1630

Here is the issue which concerns me the most. What twiggged me to this issue, what concerned me, is when I saw the Minister of Community and Social Services make an announcement about food banks on Friday and not make the announcement in the House—which is the custom, the tradition, the expectation. She did that for a very simple reason. It was to avoid the kinds of questions the government was subjected to yesterday and today, to avoid the kind of examination the media make in fulfilling their public role when dealing with a policy statement.

In January we will be getting our transfer payments. Clearly, 35% to 40% of all the money the government will spend in a given year is going to be announced in January. Under the Liberals and the previous Tory administration, it was announced in September, October and sometimes as late as November. But if those transfer payments have the crippling effect we believe they will, it is in the government's best interest not to be in this Legislature, for ministers to be scattered all over the province, for school boards to be desperately seeking a government audience when this House is not sitting. That really is what I believe this agenda is, and that is what this is all about, our sitting until midnight: to assist everybody to get out of this building before they have to face the music of their transfer payments.

These were the points I wanted to put on the record. They are the kinds of concerns that are being expressed by my party. They are the kinds of concerns being expressed by the constituents in my riding.

I would like to support the primary concern of the Liberal Party for getting an hour off for dinner, but frankly I am more concerned that we did not consult with the many hundreds of people who work in this building to ensure that we can do a proper job as legislators. They were not consulted, and their holiday plans have been unfairly disrupted just so the government can get out of here in the next 10 days or the next week and a half and avoid the accountability, which is so precious to our democratic freedoms in this Legislature, in January of the new year.

Hon Miss Martel: I have enjoyed the debate we have had with respect to our movement of this motion. There are a couple of things, in summing up—

The Deputy Speaker: But you are closing the debate, are you not?

Hon Miss Martel: Yes, I am. There are a couple of things I would like to say in wrapping up. First, there was talk about how the House leaders have been trying to deal in a co-operative manner, and that it has appeared to them that there has been a great deal of confusion on this side with respect to ordering our business and our getting our

agenda together. I do not deny it. There has been a great deal of confusion. I have been very open and honest at House leaders' meetings that this is the first time for all of us, that it is the first time for me in this House to act as government House leader and I have never felt that having three years in here as a member was enough to do that job.

However, the fact of the matter is, here we are. We are doing the best we can, and I am confident that as more of our members participate in debates and work in committee and learn the ropes around this place, we will all be very effective, as all of the new members from all sides of the House will be. I have never for one instant tried to pretend that we knew everything we were doing, and I have looked to the two House leaders at a number of House leaders' meetings and at Board of Internal Economy meetings for advice and for help. That is where we are. I make no bones about saying that, and they have certainly been good to provide advice when they can. We may not always agree, but I have certainly been open about where we are coming from and what our agenda has been. If there have been changes I have certainly tried to deal with that as quickly as I possibly could.

With respect to the statement made by the House leader for the official opposition that Bill 1 was the signal of a reversal of our policy, let me say this with respect to the debate on Bill 1. A week and a half ago, at the House leaders' meeting, I stated clearly that the government would like to deal with Bill 1 within two days. We wanted to deal with that last Wednesday and Thursday. I asked them, that is, the House leader for the official opposition and the whip, to let me know if that could not be done, and I asked the same of the third party. I was told very clearly by the House leader for the third party that that was not a problem, that they would have, if any, only one speaker and he would not speak for a great deal of time; he had a few things to get on the record, and that would be the end of the debate. I was then told by the official opposition that they felt we could get this done. I was never told at any time that there would be additional speakers. I do not mind if there are additional speakers, but I would like to deal as openly as I can and I expect the same in return. I have not felt that I have been told all the time what they would like to do. If they want to talk and go on, we can accommodate that, but I need to be told.

I can say that the third party has told me what it needs, what times it needs, how we can deal with committee, but I have not had that same sense of co-operation from the official opposition. I regret that deeply, but that is the fact of the matter. I have not. At this point, when I talk to the House leader of the official opposition and he gives me some idea of how many people are going to speak on different debates, I can only guess that there will be at least five, eight or maybe 10 more speakers on top of the number he gives me. In my opinion, I have no choice at this point but to think that that is going to happen on every bill.

That is fine. The way we will deal with that extension, then, and more members speaking, is to extend the sittings. That is what we are moving. We have said very clearly to both opposition parties that we expect that many people will want to speak on rent review in particular and we will

provide as much time as we can on rent review during the night sittings. I was told again today that Bill 1 could probably not finish again today, which is the second time that has happened, so I am making accommodation for them to finish tonight. They can speak to their hearts' content until midnight tonight and I encourage them to do that.

Mr Mahoney: Will you be here?

Hon Miss Martel: Yes, I will be here. We already have had to cancel one dinner, the member for Mississauga West and myself, for tonight, but we will be here.

The fact of the matter is that I have not had a clear sense of the direction of the official opposition, what kind of time it needs, how many members. Therefore, in order to accommodate them to the best of my ability, not knowing all the time what they are going to do, we will extend the sittings. If we do not need to sit, if we can finish the business we have laid out in our program and given to both House leaders, if we can finish the business on that particular day we will not continue. I have no intention of keeping people here longer than we have to, but again that will depend on how many speakers go up.

If, for example, both parties decide they would like to have more people speak on rent review, then we will work to accommodate that as well, but I have given my commitment to both of the House leaders that I will deal with the agenda I have set before them. They should outline to me their concerns. We will try to accommodate them. If they would like to sit longer at night after we have finished the business for that day to deal with rent review or another contentious issue, that will be done with the unanimous agreement of all three.

I say in closing that as far as I am concerned the position we have put forward, the legislation we would like to have dealt with in this session, is not onerous, nor has it been. It has not always been easy, but I have openly admitted that to the House leaders of both sides, so I do not think we have anything to hide. I surely have not. But I would also like to say that the standing orders were agreed upon by all members of this House, and just as the former government, as I pointed out earlier in my remarks, put this motion in both sittings, both in the fall of 1989 and the spring of this year, so too are we putting this motion in order to try to deal with all the business and ensure that everyone can speak.

I will not at this point entertain the motion with respect to having dinner or having time off for dinner between 6 and 7 o'clock. I can only say that the former government did not provide us with that accommodation. They did not provide my colleague the Minister of Financial Institutions with that kind of right when he had to speak for 17 hours, so I will not be extending this right at this time. For those people who want to speak, we will continue all day and they can speak until midnight.

1640

The Deputy Speaker: We will now proceed with the amendment to the motion by Mr Elston, which reads as follows:

"That one hour be allowed commencing at 6 o'clock each day for dinner and that the House resume at 7 o'clock."

All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion the nays have it.

Motion negatived.

1656

The House divided on Miss Martel's motion, which was agreed to on the following vote:

Ayes—75

Abel, Allen, Arnott, Boyd, Buchanan, Carr, Carter, Charlton, Christopherson, Churley, Cooke, Cooper, Copen, Cousens, Cunningham, Dadamo, Drainville, Duignan, Eves, Ferguson, Fletcher, Frankford, Haeck, Hampton, Hansen, Harnick, Harrington, Harris, Haslam, Hope, Huget, Jamison, Johnson, Jordan, Klopp, Kormos;

Lessard, Mackenzie, Malkowski, Mammoliti, Marland, Martel, Martin, Mathysen, McLean, Mills, Morrow, Murdoch, S., North, O'Connor, Owens, Philip, E., Pilkey, Pouliot, Rae, Runciman, Silipo, Stockwell, Sutherland, Swarbrick, Tilson, Turnbull, Villeneuve, Ward, B., Wark-Martyn, Waters, Wessinger, White, Wildman, Wilson, F., Wilson, G., Wilson, J., Wiseman, Witmer, Wood.

Nays—27

Beer, Callahan, Caplan, Chiarelli, Cleary, Conway, Cordiano, Curling, Daigeler, Elston, Grandmaitre, Henderson, Mahoney, Mancini, McClelland, McGuinty, McLeod, Miclash, Nixon, O'Neil, H., O'Neill, Y., Phillips, G., Poirier, Poole, Ramsay, Sorbara, Sullivan.

RESIDENTIAL RENT REGULATION AMENDMENT ACT, 1990

Mr Cooke moved second reading of Bill 4, An Act to amend the Residential Rent Regulation Act, 1986.

Hon Mr Cooke: I am not going to speak at length about this bill. This is my first bill as a cabinet minister. I have certainly had experience moving private member's legislation over the last 13 and one half years, but there is nothing like the real thing.

What I would like to do is just take a few minutes to explain what we did and why we are proposing this legislation and then I certainly would like to, over the next 45 minutes to an hour, listen to responses from the opposition parties as we propose this bill for second reading, and Mr Speaker, you understand, we have agreed that this bill will go out for public hearings during the break.

First of all, there are two issues under the current rent review legislation that I believe are the reasons why tenant organizations and why our government and our party, when we were in opposition, have taken the position that we needed to bring in much stronger rent regulation legislation in this province.

Number one, everybody who has looked at this issue objectively—and I would include in that category of people the member from Eglinton, who on many occasions has gone to tenants' rallies in this community—has made it very clear that the issue of flips of buildings being sold for

the sole reason of building in more financial cost which can then be passed through under the legislation that tenants now have to operate under has been a major problem.

The member from one of the Halton ridings might indicate that this is not a problem from her point of view, but it has been a problem that was experienced and expressed by tenants and certainly was an area that the former Minister of Housing expressed a concern about and the member from Eglinton has expressed a concern about.

Mr Speaker, you will also understand and remember that we raised cases when we were in opposition in this Parliament that clearly outlined why the rent review legislation that we currently operate under has encouraged flips. In fact, I raised one day in question period an example of how consultants had set up workshops in this community and the title of one of the workshops was, "Why the current rent review legislation encourages flips." That is exactly what was happening.

You can sell a building under the current legislation, you can get the increased finance costs, you can sell the building again and again and tenants continue to pay and pay. There was no protection. With the exception of the 5% cap, there was no protection for tenants. Well, it is not a fair amount of protection when one looks at the fact that with the phase-ins that exist under the current legislation, you can get the guideline that is set each year plus 5%, and then the next year the guideline plus 5%. We had examples of 10-year phase-ins, and longer, which would guarantee, with the guideline that is set plus the additional 5%, that rents would go up well over 100% for tenants across this province.

I believe very strongly that there has to be a housing strategy in this province. I think the major mistake that the previous government made was that it started a program that I believe was a very useful program, the Homes Now program, the supply program which has had some difficulties which we are all familiar with. The idea of a major supply program is obviously a major component of a housing strategy, but it is also absolutely essential that legislation has to be put in place to protect the affordable housing that currently exists. The only way of protecting that affordability has to be with a strong and effective rent regulation act.

The current rent regulation in this province simply does not provide that protection. In fact, there are so many loopholes in it that I think it gave the illusion to many tenants that there was protection, but there was no reality of that protection. That is why we felt we had to act.

The other major loophole that exists in the current legislation is luxury renovations. Again, the previous minister recognized that this was a loophole, as did the member for Eglinton. At rally after rally in the Metropolitan Toronto area, the member for Eglinton spoke, because, as I might remind the member, the former Minister of Housing would not come to tenant rallies, so the local member had to attend. The member for Eglinton came to a fair number of those meetings. The fact is that she spoke then, as we did, of the major problem that existed with luxury

renovations. I do not hear that discussion now coming from the Liberal Party, but she did at that point.

The only solution that the former Minister of Housing brought forward was to use the current regulations and to say that if a landlord was involved in renovations, notice had to be given. If the tenants did not get that notice, there would be a 5% penalty. To explain the 5% penalty, because I think this is very important, if a landlord was spending \$100,000 on renovations and notice was not given, then it was not 5% even of the \$100,000; under the current legislation, a landlord would get the \$100,000 passed through and if notice was given in writing, he would get an additional \$5,000 or an additional 5% for administration. If the notice was not given, the only penalty was that \$5,000.

I believe that was very ineffective and did not address at all the need to stop luxury renovations and to instil tenant consultation in the process. I would hope that as we develop the permanent rent control system in this province we will be able to work with landlords and tenants to develop a much more effective process where landlords and tenants work together to determine the priorities for their building.

Mr Mahoney: The landlords really trust you now.

Hon Mr Cooke: I would suggest to the member who just spoke that if he wants to take a look at Hansard and the discussions that took place both with the Davis legislation in the 1970s and with the Peterson legislation in the 1980s, landlord after landlord came before committees and indicated that the sky was going to collapse, that their legislation was going to destroy the private rental market. That simply was not the case under the Peterson legislation and was not the case under the Davis legislation, and I do not believe it is going to be the case under our legislation either.

I think one of the aspects of our proposal that has been deliberately neglected, for political reasons—and that is appropriate in this forum—is the fact that we are bringing forward a short-term proposal. The moratorium that we are proposing will last up to two years. We have suggested to the opposition House leaders a mechanism, as I did with Fair Rental and with the tenants groups, whereby that could be sped up. That process is clearly to come out in late February with a consultation document with draft proposals. We are prepared to have our own consultation process on that document, but also to have a standing committee of the Legislature look at it. We would then take the feedback, improve the proposed legislation and be able to speed up the process of bringing in the permanent legislation. Again, when the permanent legislation is in its final form we will want to send it out to a committee of the Legislature for public hearings for the final process of consultation.

1710

I believe very strongly that we will be able to bring in the permanent legislation very much more quickly than the two-year process, but for obvious reasons there had to be legislation that set out a two-year moratorium in case we did not get the legislation through the Legislature quickly enough. We could not possibly have the moratorium expire

while the opposition parties were debating it and then have no protection left for tenants at all.

That process has been spelled out to Fair Rental, to the organization representing small landlords, to the tenants' groups and to the opposition parties. I certainly would be more than willing to discuss with the opposition critics and I know my House leader would want to discuss with the opposition House leaders any other suggestions they might have to speed up the process. But it all, obviously, will hinge on how quickly we can get through this process in dealing with the short-term legislation before we can get on to the permanent rent control legislation.

I found it interesting, the day I made the announcement on behalf of the government, that both opposition critics had two points of view: First, they spent maybe the first two and a half minutes slamming us for not following to a T the suggestion we made during the election of one flat increase with no exemptions, and then they spent the second half of their five minutes attacking us for going too far, which I guess is another aspect of this job I have learned, and I know others have learned it before me: that it does not matter what you do, you are going to get criticism from the opposition parties and from the extremes on both sides of the issue.

However, I want members to understand that we want to go through this process as quickly as possible. We understand, and I have made this clear in question period, that the moratorium legislation is not the right legislation in the long term, that we have to address other issues like the capital issue when we are developing the long-term legislation. So the sooner we can get to the long-term solution, the permanent legislation, the sooner that issue can be addressed. I really emphasize that with the members of the opposition parties. The sooner we get to the long-term legislation, the sooner the capital issue can be addressed in the permanent legislation.

I think they will have some ideas and we will have some ideas of how that can be done, and how the capital issue, the renovation issue—whether it is parking garages or roofs, whatever the issue is—can be addressed. But I will be following the principle that the permanent legislation has to offer more protection than the current rent review legislation, that in the long-term solution we will want to involve tenants to a much greater extent, and that the long-term solution must distinguish between necessary capital expenditures and luxury renovations, which have, I believe, been one of the major problems under the current legislation.

I want to spend a couple of minutes talking about the 1 October date. I understand very clearly that some landlords in this province are not pleased with the 1 October date, but I can tell members that we spent an awful lot of time discussing within the ministry which date would be the most appropriate date for an effective date for the legislation. It certainly was not an easy decision by any stretch.

Even under our legislation, 130,000 units are going to go through the current Liberal rent review legislation. Those 130,000 units will still go through the system and still be subject to the old rules and therefore, in my view,

have very limited protection against substantial rent increases.

I understand there is some retroactivity involved when the 1 October date was chosen, but members also have to understand that when I spoke to landlords about what dates were possible, landlords who had not even applied for rent review, who were just contemplating capital expenditures now, made the point to me that any date would, in their view, be seen as being retroactive. If the work had started last week, if the work had started in the middle of October or 1 November or if orders had been placed for work and delivery was going to take place in November, they still viewed those as capital expenditures that should be able to be passed through. At some point we had to say, "This is the date we are choosing." Understanding that a moratorium by its very nature has some rigid aspects to it, we had to choose a date knowing there would be some difficulty with whatever date we chose.

But the object of the exercise clearly is to offer protection for tenants and try to put a halt to the system as it now exists while we develop the long-term system. I have said to the press today and I will repeat here that any issue that individuals—opposition critics, landlords or tenants—feel should be on the table for discussion, I am prepared to discuss when it comes to the long-term legislation. I hope these will all be issues we will discuss when we are looking at the options for the long-term legislation. But I do want to reiterate that the time frame is important. The bottom-line principle for this party is that there has to be more protection offered for tenants and that we are moving away from a system of rent review which simply offers the ability to pass through expenses to a system of rent control which will offer real protection for the tenants of this province. That is a principle we are not prepared to compromise on. We are not prepared to compromise on the principle that tenants are going to have more protection under the long-term legislation.

There is one other point I would like to make. We were very concerned that there were some costs over which there would be absolutely no control by landlords, so we deviated from the principle we talked about during the election and said there were certain costs that could be passed through even under the moratorium: hydro, municipal taxes, heating, water, insurance, cablevision, mortgage rates for renewals of mortgages. That was a major concern for small landlords when they talked to me either on an individual basis or even with the group, that there had to be some ability even under the moratorium to pass those types of costs through, so we did that even in the temporary legislation. That should be an indication that when there are costs that are real, when there are costs there are absolutely no control over by landlords, then obviously we are rational people and we are prepared to recognize those costs in the legislation. So we did that even in the moratorium legislation.

I guess I want to finish by simply saying again that it would be inappropriate for anybody in the Legislature or anybody outside to say that the current rent review legislation was working. It was not working. Tenants were not happy with it; landlords were not happy with it. It was

complicated, it was bureaucratic and it simply was not understood by large numbers of people in this province. The success of any type of consumer protection legislation is obviously very much pinned to whether people can work through the system and whether people can understand the system. The current rent review system failed that test utterly. The last Rent Review Hearings Board annual report made the point very clearly that nobody was happy with the legislation.

1720

I found it interesting that while we were in opposition, Fair Rental and other landlords' groups were calling for the abolition of rent control altogether; Fair Rental had a complete lack of recognition that there were problems with the rent review legislation from a tenant's perspective. Now that we have formed a government and have said we are moving to provide real protection, some of the landlords' groups are saying: "Yes, you're right. There were abuses under the old legislation."

Well, it might have been more appropriate and we might have been able to find a solution in the past if some of the landlords' groups had recognized in the past that some of their colleagues were ripping off tenants and were not being fair with their tenants in this province. It is because of those examples of outrageous rent increases that our government felt compelled to act. That is why we spoke up when we were in opposition, and I think it would have been rather hypocritical for this party to come in and say we were simply going to tinker with the current rent review system. That would have been wrong, it would have been inconsistent, and it would not have solved the problem from a tenant's point of view.

I want to work with the opposition parties, I want to work with tenants' groups and I want to work with landlords' groups to try to find the long-term solution, but I do not think the long-term solution is going to be found if landlords' groups use all sorts of heightened, inappropriate rhetoric that does not reflect the real situation. The sky is not going to fall in. Tenants are still paying rent.

Mr Carr: The roofs are going to fall in, not the sky.

Hon Mr Cooke: Ask yourself this question. If a roof needs to be repaired today, what kind of shape was that roof in on 5 September? The way the member is talking, you would almost think that from 6 September to today, the buildings have begun to collapse. The fact of the matter is, the current rent review legislation did not address the whole issue of maintenance, did not keep buildings in a proper state of repair. All members have to do is go look at some of those buildings. What it did encourage was luxury renovations, which could increase—

Mr Harnick: You are compounding the problem. You're making the problem worse with your legislation.

Hon Mr Cooke: That simply will not happen. Look at it rationally. We are talking about a maximum two-year moratorium that we want to shorten with members' co-operation.

The roof is not going to fall in in two years. If they want to be responsible they should go out and talk to landlords and tell them they have a responsibility under the

building standards in this province to maintain their buildings. They had that responsibility before 6 September. The current rent review legislation was supposed to see that that happened. It did not work, and I want to work with landlords' groups and tenants' groups in this province to find those solutions to make sure that rent is fair and that buildings are kept in a fair state for the tenants of this province. That is our goal.

I believe we can do it, but the bottom line is that there is going to be a rent control system in this province that offers real protection for tenants. That is the policy of this government and it was the policy of our party when we were in opposition, and I am determined to see it happen in the long term.

Mr Tilson: I have a question for the minister. I think the last statement made by the minister does spell out exactly what this legislation is doing. He appears to be determined to put this legislation through no matter what. In other words, he has one thing in mind. He is not listening to other people, to other interested parties.

I would like to refer the minister to a statement that came out in Maclean's magazine on 26 November. Actually, the discussion had to do with the opera house, but there was a statement that referred to the minister and his housing policy. It is on page 17:

"While some new ministers have won the early confidence of the bureaucracy, others have been privately criticized for ignoring expert advice. When Housing minister David Cooke assumed his post, ministry officials told him that parts of the NDP's promise to toughen the province's rent review system were unrealistic. Cooke had made plain his desire to make it more difficult for landlords to raise rents to recover the cost of renovations or such expenses as higher utility rates—something that is allowed under the current system. Ministry experts told Cooke that such a plan would discourage developers from building new rental accommodation and dissuade landlords from improving existing apartments. In one official's words, Cooke responded: 'I don't care. Do it anyway.' And he instructed his staff to draft tough new guidelines restricting rent increases."

I would like to ask the minister: Is this magazine article and this statement correct? Does this show his determination?

Hon Mr Cooke: When I read the Maclean's magazine article I had to laugh, because the week before, through the press clipping service, there had been a clipping from Now magazine in Toronto saying I was an example of one of the ministers who had been captured by the bureaucracy and was not going to do the right thing for tenants. We looked at Now magazine; we looked at Maclean's. On one hand the bureaucracy was supposed to be telling me what to do, and on the other hand I was supposed to be not listening at all to any advice that had been offered.

I can tell the member that neither of the articles is correct. I never once have made that kind of comment to the people in the Ministry of Housing. They have offered me very good, very professional advice, and I have never once made that kind of statement to the bureaucracy. I

have found the Ministry of Housing people to be very co-operative and to offer a series of alternatives. That same type of information and briefing material I have offered to the member through the ministry, and I offered it to the Liberal Housing critic as well. I believe she has either taken advantage of it already or—she has. I would encourage the member to do that. I have no idea where Maclean's magazine got their quote and I have no idea where Now magazine got their quote.

Ms Poole: I am pleased to contribute to the debate on Bill 4 on behalf of our caucus and our party. First, I would like to take a look at what the minister says is the purpose of the bill. First of all, the minister would like to limit outrageous rent increases. I have a lot of sympathy for that viewpoint; the minister is perfectly correct when he says I fought this in the past. I would expect that a 195% rent increase should be unacceptable to any member of the House, including the Conservatives. Second, the purpose of the bill is to ensure that tenants would not have to finance luxury renovations or the flipping of apartment buildings. Again, I do not have any problem with that. We agree with the minister that tenants should not have to shoulder the burden of paying for luxury renovations they neither want nor need.

But I am afraid that is where we part company with the NDP government. By the way, I shall be making suggestions towards the end of my speech as to how we would suggest that these problems be dealt with. Quite frankly, we cannot agree with the minister that he has chosen the right way to fix the problem of abuse by a few landlords.

The minister himself has admitted that it is only a few landlords who have created the problem. I would like to quote the minister's own words at a press conference after he introduced the legislation: "Landlords in this province, in fact most landlords, have kept their buildings up to standards without going through rent review. It has been a few landlords that I believe have abused the system, have put in luxury renovations that have resulted in tenants receiving unreasonable and unconscionable rent increases, which is what we are attempting to fix today."

So the question we have to ask is, if it is an abuse by a few landlords, why did the minister bring in interim legislation that is so wide-sweeping that it has plunged the rental housing market into chaos? I have obtained statistics from rent review that show that since 1986 only 5.7% of all the units that have gone to rent review have had increases of 20% or over, so why does the minister not deal with those cases? Why does he not deal with those who are abusing the system?

1730

I also have some statistics from the CMHC for the Ottawa-Carleton area showing that the average rent increases in Ottawa-Carleton were 3.7% in 1989 and 4.1% in 1990. Now, that is below the guideline, and that includes all units that have gone to rent review and that have not gone to rent review. Those are the averages, and yet in Ottawa-Carleton they too are going to be affected by this legislation. Why such a draconian approach? There is no provision for capital improvements. There is no provision

for major repairs and no provision for what happens to buildings that are halfway through construction.

Let's take a closer look at what this legislation is going to do. First of all, it has ensured that no capital improvements will be made to our aging housing stock in this province over the next two years. Now I know that the minister thinks not much can happen in a two-year period, but what I think he is not realizing and considering is the state of our aging housing stock.

Let me share some statistics with the House: 80% of our housing stock was built prior to 1976 and 62.6% was built prior to 1970. That means over 62% of our housing stock is now 30 years old. And 36.6% was built prior to 1960 and 8.6% was built pre-1920. Buildings that are 20, 25, 30 and 40 years old need major replacements and repairs. If they do not get that work, they can degenerate into slums very, very quickly.

I am not talking about luxury renovations. I am not talking about day-to-day maintenance. I am talking about major repairs and major expenditures: aging leaky roofs, windows that were state of the art some 20 years when they were put in, but now are drafty and chilly. It is a vicious opponent of any type of energy conservation.

I am talking about replacing corroded galvanized piping with new copper plumbing, replacing aging appliances which have given up the ghost, putting in a new boiler so that tenants do not freeze every time the old patched-up one breaks down, repairing salt-damaged parking garages—that is a particularly important and expensive repair. If the salt corrosion is not halted, the building can fall down, and that is no exaggeration. Ask any structural engineer what is happening to the parking garages in our cities. These are hardly luxury renovations and yet this work will not get done over the next two years or more.

The second problem with this ill-conceived bill is that the government has ignored the disastrous economic effects of its policy. For example, this government's housing policy is causing untold hardship to the renovation trades and suppliers, and the minister cannot say that he had any warning. On 19 October the vice-president of Wind-o-Mart, a window replacement company, wrote to the Premier with a copy to the Minister of Housing. He warned the Premier and the minister that a rent control policy might trigger massive layoffs in related small businesses such as the renovation trades, and he pleaded with the Minister of Housing to consider this when formulating his rental policy.

The Premier replied: "In the months ahead the Minister of Housing will be reviewing many issues including those you have outlined. Your concerns will be given every consideration." Some consideration. No consideration was given to the economic consequences. Following the announcement by the Minister of Housing of the moratorium, \$2 million worth of Wind-o-Mart's contracts were cancelled with indications that the figure would rise to \$5 million. Wind-o-Mart has said that the cancellations will force the business to close, putting all 20 employees out of work.

Regal Aluminum and Regal Railings laid off 108 of their 200 employees when building owners cancelled

\$5 million worth of windows, doors and railings. Just today I received a fax from Ridley Industries saying that 25% of its workforce has been laid off. The bitter irony is that most of those who have been laid off are tenants.

That is only the tip of the iceberg. This government obviously has a great deal of difficulty reconciling its economic policy with its social policy.

Another example of this is occurring within the investment community. The minister will no doubt by now have seen a copy of the letters from Dr Tse of Fairwin Investments to the Premier. The Fairwin group, by way of information to the House, had invested over \$300 million in Ontario real estate, primarily over the last three years. Dr Tse advised that this group consists mainly of overseas investors and that they are abandoning plans to invest another \$500 million in Ontario over the next five years.

He wrote in his very eloquent letter: "It must be remembered that to a foreign investor half a world away, the Ontario government is the Ontario government, be it NDP, Liberal or Conservative. Investors still expect the same fair treatment, predictability and continuity in legislation passed. There should be no doubt in your mind that investment from overseas is currently being directed elsewhere. Investors are being invited to play a chess game in Ontario."

Dr Tse continued: "After inquiring about the rules, investors laid their money on the table and started playing the game. Halfway through the game, investors are now told that all the rules are being changed retroactively."

That brings us to the third major difficulty of this bill. I very much sympathize with the minister's intention of saving tenants from more rent increases by making the legislation retroactive, but instead of being reasonable about the retroactivity, the NDP government has used a very heavy-handed approach. It has offered absolutely no chance for landlords who have completely or partially completed major repairs, in full accordance with the law, to recoup any of their losses.

The minister has said, "Well, this is only interim legislation," as if the fact that it is interim means it can be as unfair as he wants. But surely even interim legislation must be not only effective, but fair. In that respect, this legislation fails.

The minister does not seem to care that the legislation is unfair. In fact, what he has said is that it does not matter. It does not matter if the landlords pay a heavy price or the investors or the suppliers or the unemployed workers, because in the final analysis the minister says it was justified because it protects tenants. But has it protected tenants?

When tenants see their maintenance falter and their buildings crumble around them, they will not feel very protected then. Tenants will realize over the next two years that they too have paid a heavy price for the minister's shortsighted interim legislation.

The irony is that the minister says he brought in this interim legislation to create stability. In the House he said: "I agree the moratorium we have introduced is not the right legislation for Ontario on a permanent basis. It is there to stabilize the market now while we can work to develop a long-term, workable system."

Because this legislation is so ill-advised, exactly the opposite has occurred. We have frozen chaos, with tenants living in half-finished construction, necessary work being put on hold, renovators closing up shop, workers unemployed, foreign investors saying they no longer trust the Ontario government and landlords saying they will go bankrupt.

We have financial institutions wondering if they are ever going to be repaid for the loans they made and tenants who are confused by the myriad of dates that are floating before them in the moratorium—1 October, 28 November, 1 July—and not knowing whether they have to pay rent increases. This is not what I call stability. In fact, I would call this chaos and I think it will only get worse.

What else has the minister said to defend this legislation? When I asked him a question in the House about what he was going to do in situations where repair work was halfway done and there was no compensation to complete the work, in effect he gave this answer: "Don't worry. We have the Residential Rental Standards Board and municipal bylaws. All is well. They'll take care of the problem."

I have news for the minister. I agree that the standards board is a great idea, but we all know it has no teeth to force the work to be done. All the standards board can do, after a long unwieldy process via rent review, is deny the landlord a right to the guideline increase. The work orders the municipality issues will not be very helpful either, since it can take many, many months, if not years, to get any action on work orders. So there will not be much comfort to the tenants at 109 Jameson Avenue or the tenants on Antrim Crescent if they have to live in half-completed construction for the next two years.

1740

I want to show members a picture of one of the apartment buildings at 11 Antrim Crescent. The photo was taken last week when I was up there after the owners stopped work on the site in reaction to this legislation. The five buildings are partway through a major structural renovation and repair program. The work being done included repairing balconies, underground garages, lighting, new roofs and emergency generators for the elevators and fire pumps. Again, it is hardly what I would call luxury renovations.

Now, because of this legislation, the owners have said they plan to complete only the work that would be hazardous to the tenants. The rest will be left uncompleted. Let's just hope that the tenants do not have to wait two long years to have this work finished.

Another ramification that the minister has not considered is the effect on our non-profit housing, such as Cityhome. For instance, I had a call late last week from the city councillor who chairs the drug enforcement policy committee for the city of Toronto. The committee had recommended strongly that to fight the rampant drug use in Cityhome buildings, its buildings should be equipped with a comprehensive surveillance system and security upgrading. Because of the provincial government's new rent freeze policy, the chairman told me these plans have been put on hold. The city, just like other landlords, cannot

afford to pay the money itself, and because it can no longer have any part of the costs picked up by the tenants, it is saying it is not going to do it.

What reason has the NDP government given for moving so quickly to bring in this legislation with no consultation and little forethought? Sadly, most of the motivation has been political. Back in the spring, the minister had a very simple proposal to solve the rental problems in the province. When he was opposition Housing critic, he wanted to have one guideline amount per year with no exemptions. Does this sound familiar? Well, it should, since it was adopted as the basic NDP election platform in its Agenda for People. New Democrats would bring in rent control. That means one increase a year based on inflation. There would be no extra bonuses to landlords for capital or financing costs.

The NDP government had to do something and do it quickly to convince tenants that it meant business and that it was going to keep its promise, even though I am sure the minister himself was having some second thoughts about whether the promise was workable. So their solution was to introduce interim legislation that would have no component for major repairs and replacements. They figured if the landlords and the investors squawked enough, this alone would be proof that the legislation was good for tenants.

But what is really frightening is what I call this government's hidden agenda for people. It is clear from the interview the Premier had with the Federation of Metro Tenants' Associations that he does not believe in any form of private ownership for housing. When he was asked how he would get the current private rental stock out of the hands of the large owners and into the hands of the non-profit organizations, this was the Premier's reply:

"You make it less profitable for people to own it. I would bring in a very rigid, tough system of rent review. Simple. There will be a huge squawk from the speculative community and you say to them, 'If you're unhappy, we'll buy you out.'"

Well, the NDP government has already taken the first step in its master plan and the landlords are squawking. This is very frightening. There are projections that we will have a flood of another two million people in the greater Toronto area over the next couple of decades. If this government does not want a partnership with the private sector, and if this government drives the private sector out of the housing field, then who is going to build the housing for these people? There is only so much that the government can bear through our non-profit housing, and I support the minister when he talks about non-profit housing and the need for it, but we cannot do it alone. The taxpayers cannot bear that burden. We need the private sector.

The problem is that after the draconian actions of this government with this legislation, I do not think the private sector will ever trust this government again, and quite frankly, I do not blame it.

I believe that another reason the New Democratic Party failed with the introduction of this legislation is that it truly does not understand our aging housing stock. Buildings are not invulnerable. Cement corrodes. Electrical work

fails. Water penetrates caulking and roofing. Balconies disintegrate. Parking garage foundations fall victim to salt corrosion. Elevators wear out. Plumbing needs to be replaced. The list can go on and on.

What is the minister's response? Well, if they had done proper maintenance, these things would not happen. But it does not make any sense. No matter how good the landlord, no matter how good the maintenance, after a certain number of years these things need to be repaired and they need to be replaced.

I personally believe that there is one more reason the NDP believes in this legislation. They are convinced that the landlords are the embodiment of evil. Landlords all wear black hats. Therefore, they refuse to believe the landlords, the investors, the renovators and the financial institutions when they warn of dire consequences. But we all know that there are good landlords and bad landlords, just as there are good politicians and bad politicians. I do not intend to give any judgement as to where we in this House sit. I am sure we are all good politicians. There are also good and bad tenants. It is a matter of balance.

I am sure my words are falling on deaf ears today, because the NDP does not want to believe me either, although, to be fair, I think it probably thinks I am a cut above the usual dastardly landlords, as they twirl their handlebar moustaches and have the eviction notices in their greasy palms. But that is not all landlords.

I want to mention to members the case of Alice Guybord. Alice was in the gallery today. Some members may have noticed her. She was 74 years old and she came down from Ottawa for the rally. She is a widow. She is a self-employed landlady who owns a 68-unit rental building that she and her husband built some 25 years ago. Alice has spent 365 days a year, 18 hours a day for 25 years working on her building. There is one exception. In 1986 she took five days off to go to Disneyland. I saw her knuckles. They were worn to the bone. She too was a landlord. She put \$94,000 into her building. She borrowed it from family and she used her savings. The rent increases that were to come into effect after the work was completed still made the accommodation very, very affordable.

The Alice Guybords of the world are also landlords. In fact, statistics that I recently received from Ottawa-Carleton show that out of the 41,522, 39,686 are small landlords who own only one or perhaps two buildings. I am warning the minister not to be too self-satisfied. It is true today that he has pleased a number of tenants with his rent freeze. After all, it is only normal for tenants to be pleased not to have to pay rent increases above the guideline for the next two years. But tenants will not be so pleased when landlords start to recoup their losses in the only way they feel they can. They will cut services. They will lower standards of maintenance. They will cut out the extras.

One small landlord who called me last week was an older gentleman who talked about the blood, sweat and tears he put into his building over the last 30 years. He had just finished some major repair work and he cannot recoup the money. So he said, well, there was not much he could do. It came out of his savings. But he is going to have to

cut out the little extras, such as the flower beds he has cultivated for some 30 years. Now, I agree that compared to economic eviction, perhaps flower beds pale in importance, but at the same time tenants are entitled to the same quality of life as home owners. Now they will not get those little extras such as the flower gardens.

1750

I mentioned at the beginning that I intended to offer some constructive ideas of what this government could do, because I do not think it is fair only to offer criticism without putting something on the table.

First, I believe this government should only allow necessary repairs and replacements. In fact, I proposed specific legislative amendments to the Minister of Housing's predecessor, Mr Sweeney, last fall. I would be pleased to have the minister take a look at them. If I could have a page come up—the pages are not paying attention to my speeches; I cannot comprehend this. Could you take that to the minister, please?

Second, I would put a cap on total rent increases allowed in a year, as well as establish a maximum of total rent increases that could be charged in any three- or five-year period.

Third, the legislation could have been amended so that landlords would have to get pre-approval for any capital expenditures. It would be mandatory that this be done prior to the work being done.

Fourth, I would lengthen some of the amortization periods to be more realistic.

Fifth, I would propose that the interim legislation be in effect for only one year.

Last, I would amend the legislation so that a landlord could only receive the guideline increase if he or she obtained a certificate from a municipal building inspector stating that the building had been kept in a good state of repair.

I believe that these amendments would have alleviated the situation. They would have protected tenants from outrageous rent increases. They would have given stability to the housing market until we could work out long-term solutions. They would ensure that maintenance of our buildings was carried out properly on a day-to-day basis; otherwise the landlord would not get the guideline amount. It would protect and enhance our housing stock. In other words, I believe that instead of using a sledgehammer on all landlords, the minister should have used a boxing glove only on those who abuse the system.

Madam Speaker, I am sure you and all members of this House will be relieved to know that I am in the final throes of my speech. In fact, I am sure some members would probably say I am in the death throes of my speech.

Just one final point: We must not forget in this debate and in this House that we are talking about people's homes. Most tenants today will end up being long-term renters who will never be able to afford to buy a home. Statistics from CMHC bear this out. Only 6.7% of renters in Toronto can afford to buy a home, 6.7%; 8.3% in Kitchener can afford to buy a home; 10.1% in Hamilton; 10.5% in Oshawa; 13.9% in London; 17.9% in Ottawa. That is why tenants are equally as concerned about the

maintenance of their buildings as they are about the affordability of rents. Their apartments are their homes, and as I said in the House the other day, tenants want a decent and comfortable place in which to live.

I sincerely hope the minister will rethink some of his positions on the aspects of this bill. For tenants, I believe this will be a case of short-term gain and long-term pain. It may be only interim legislation, but we, as members of this House, have the right—no, I am going to amend that. I surely think that we have the duty to ensure that this interim legislation is not only effective, but that it creates stability and that it is fair. Above all, this legislation should be fair.

Hon Mr Cooke: I would just like to take the two minutes to respond to a couple of things. First of all, I congratulate the member on her speech, a well-constructed speech. I think what she could do with the speech is that she could cut it up. She could send certain parts of it to tenants and certain parts of it to landlords. It is certainly the type of speech that tries to say all things to all people. She is certainly trying to sit on the fence.

I would certainly like the member to respond to the following questions. Number one, what cap is she talking about? She said she would put a cap so that rent increases could not go above the guideline plus a cap. Well, tell us what the cap is. Tell us what her proposal for the cap is. That is pretty important.

The other thing that I would like the member to address is, does she not realize that with the approach she is taking she is encouraging ongoing, deliberate neglect, because if a landlord can say, "I'll neglect my building for years, I'll put some money into it, pass the money through the rent review system for items that I should have been properly maintaining over the years, and then I can flip the building under the current rent review legislation and the new owner can pass through the increased financing cost," she will know, as we do, that is exactly what was happening.

The final two points: I do not understand how Cityhome is covered at all by this legislation. Non-profit housing is not covered by rent regulation and the member understands that.

With respect to the jobs issue, I just ask her to look at our capital works program and the 20,000 housing units that we are putting in that will create 40,000 person-years of work next year alone.

Mrs Marland: It is really interesting to be in this House at this time in this year, because if we were to go back approximately 15 years, we would be sitting in this House knowing that certain legislation was being passed because both the other parties, the New Democratic Party and the Liberal Party, were in favour of rent controls. They wanted rent controls so badly as a solution to a housing crisis 15 years ago, and in fact, the Liberal Party members, like the Liberal government in the past Parliament, were the people who extended rent controls.

Mr Curling: You brought it in. Why are you complaining?

Mrs Marland: I would say, for the sake of the member for Scarborough North, that he should know that when our government brought in rent controls, it was with the view at the time that if we did not bring them in, as a minority government, the Liberal Party or the New Democratic Party would in fact bring them in.

Our party, the Progressive Conservative Party, is just as committed as any other single member of any other single party in this House to the protection of tenants in this province, and I am fed up with the bleeding hearts in the New Democratic government who think they are the only people who speak for tenants, or the Liberal government that extended rent controls over new development, which is the thing that has really caused the crisis in affordable housing today.

I simply say we are concerned about landlords, we are also concerned about tenants and this bill is going to be one big mess. It is not a solution.

Mr Curling: I want to commend my colleague the member for Eglinton for the excellent way she made her presentation, and I say that very seriously, because she did not take one view, like the minister, and talk about tenants only. She was extremely concerned about tenants and the effect this bill would have on tenants, keeping in consideration that there are parties involved of landlords, tenants and government, and she made an excellent suggestion to the minister, who flippantly threw it away and started questioning it immediately before he welcomed the suggestion and looked into it and studied it a bit more.

I am concerned that I do not think he is searching for a solution, he is searching for a fight, a confrontation that will see that he may be quite popular in the eyes of the tenants. Tenants are very intelligent people and they would like to see their homes be protected and well maintained.

I want to commend the member for the excellent suggestion that she made and I would urge the minister to take his time. He has two years in which he said he wants a moratorium on all this, to look into this, this small aspect of his bill here, which is a wider view of the rent review process.

Confusion is hitting the province now. We do not know if we have rent control or rent review. At times I hear the minister talk about rent review or rent control, but it is a matter of rent review and we deliberately say rent review because we realize we have to solve the problem immediately.

Again to the honourable member for Eglinton, she should continue to be persistent, because sooner or later they will get the message.

1800

Ms Poole: I am quite surprised that the minister would say that I am sitting on the fence. I have always been a tenants advocate and I will continue to be, but I do not feel this is good for tenants. I do not think there is anything wrong in having a balanced approach. Now, I know the minister does not see things that way, but it is a balance. I think the concrete solutions I have offered will go a long way towards protecting the tenants.

The minister also mentioned ongoing deliberate neglect and that what I proposed would not help. But surely, denying the guideline increase to any landlord who did not pass a building inspection would prevent that.

Hon Mr Cooke: That is the current legislation.

Ms Poole: It is not the current legislation. The current legislation is that—and I am surprised the minister does not know this—the landlord automatically gets the guideline. I am saying the landlord does not even get the guideline increase unless he has a certificate from a building inspector first. That surely will help.

The minister also said, “What is the cap?” I had a building in my riding, at 88 Erskine, where they had everything imaginable done to it that one could qualify as a necessary repair—garage work, roof work, windows, elevators, certainly the full gamut—and the increase was somewhere around 20% above the guideline. So I would feel that most buildings certainly could do many repairs if there was a cap such as 10% per year. But then there needs to be a five-year cap put in so that the same landlord cannot go for an extra 5% or 6% above the guideline every single year. This is one suggestion, but it is something the minister can work with. He should not mistake it. This is not good legislation for tenants, and the sooner he realizes it the better.

Mr Tilson: I do have a number of areas that I wish to discuss with the House on very a important issue. However, it is now after 6 o'clock. I know the House leader has a great number of other bills that she wishes to debate this evening and accordingly, I would move that we adjourn the debate.

On motion by Mr Tilson, the debate was adjourned.

RETAIL SALES TAX AMENDMENT ACT, 1990

Resuming the adjourned debate on the motion for second reading of Bill 1, An Act to amend the Retail Sales Tax Act.

Mr Curling: It is indeed an honour to stand—I notice that members are returning to the House to hear this very important input to Bill 1 that I would like to make comments about.

We all have gone through a very exciting election. One of the most exciting parts of coming back to the House is that we would see the introduction of the first bill, Bill 1, which would be something we look forward to, seeing the direction of where this government is going to go. I heard my colleagues make comments before—and they have done their research—to show that sometimes the first bill is a bill that is not of great importance. It is something that is tokenly put into the House so that we can move on for the first day. But when I saw that Bill 1 was about the GST and taxation in this province, I realized that this is a rather profound bill. It was the bill that they spoke about in their Agenda for People, the bill in which they spoke about a revolt in this province, a revolution that is going to happen in regard to taxation and the GST.

I read with great interest the remarks of the member for Ottawa-Rideau, my colleague the critic for my party, and the eloquent way in which she laid out the bill in great

detail and showed a full understanding of the bill. As a matter of fact, I will use it as a guide because I would ask the members of the government—maybe they should reread the Hansard of the honourable member and how she placed it out very articulately.

I have heard very often that Bill 1 is supposed to represent the manual for this revolution, and I looked at this Bill 1, a very thin manual, that said this is going to be the onslaught of the attack on the GST. I was excited, extremely excited. Some things came to mind too, things such as little poems like the Charge of the Light Brigade. I saw armies, I saw socialist democrats lining up, well-uniformed, heading towards Ottawa because this terrible GST is upon us, and as they said in the Agenda for People, it will be an attack to dismantle this bill. I saw many generals.

As a matter of fact, even if you want to change their coats or their hats, I saw General Mackenzie, the Minister of Labour, when he was over on this side, at times would get so irate about things that we had to cool him down and we would tell our colleagues to take it easy because General Mac may have a heart attack, he was so moved about the people and the abuse that is happening to the people in this province.

I saw the now Premier, then the Leader of the Opposition, talk about attacking our Treasurer at the time, the member for Brant-Haldimand, for the attitude and the approach he was taking towards the GST. So I saw him also as a general moving and planning this attack on Ottawa. Then I took up the manual, this Bill 1. What a disappointment. There was no direction; they did not know where they were going.

As the honourable member for Ottawa-Rideau stated, it talks about parallel, all going along with the GST; no attacks, no dismantling of the GST. I presume they read the GST as meaning “Good, sock it to them.”

We know, of course, that every country needs taxation, every government needs taxation, a fair system of taxation in order to run the business of the day. We know too the criticism of the Conservative government when it came in at the federal level, when its members spoke about the manner in which they found the books of the day and the deficit they had found this country in and how they were going to wipe out this deficit and how they were going to put a good tax system in place. I was rather taken aback. It caught my attention, to say that they can reduce that deficit, that they can put a fair tax system in place.

I could consider myself looking at this government and admiring the Conservative government for the first time. I was disappointed, of course, as the deficit went up and as they brought into place many suggestions of how good taxation would be. I think the GST is a very, very bad, awfully worded, mistimed bill at a time when we are in a recession, especially when it is not only in Ontario but in this country.

1810

I am not surprised at all that neither this government nor the government in Ottawa has any great plans. I have watched the government in Ottawa systematically dismantling this country, pulling it apart. I can talk about the Via

Rail situation that links our country, that touched the heart and the soul from one province to the other. My golly, that went by. We fought, we talked, people protested, but dismantling continued. I saw Air Canada, which will be soon sold out to the private sector; again another link, breaking up the link from one place to the other.

Mr Speaker, I am sure you must have been listening the other day or watching the TV when they were interviewing a couple of people from New York and down in the United States. They were asking them to tell them about Canada. Where is it? Some people said, "It is up there somewhere in a cold place." They were defining where Canada was. They were asked, "Could you describe Canada?" and they said: "Oh, it's a place where you can live and your doors can be open and nobody breaks in. You can leave your bicycle on the streets and no one steals it." They said: "It's a wonderful place. It is clean and it's wonderful." It is a place where they said, "I would go and live there one day."

As I travel down in the US quite often and hear the definition of Canada, it really amuses me. They talk about a place with no discrimination, and members know we do have that. They talk about a place where there is no police harassment, but members know we do have that. They have a dream of a different way of Canada, and we would like to hold, even work towards, that dream. But this federal government—and this government here is following suit—is dismantling what Canada actually stands for.

I look at the constitutional talk. We heard today that the leader, the Premier of the province, has no strategy. He has no plan whatsoever. Of course, he said he would like to talk to us all, talk to the leaders and the opposition, so we can have some strategy about Canada and what it is all about.

I think the new government has an opportunity right now to be the best government ever in the province. First, they could come straight, be honest, just say to us, to the people of Ontario that An Agenda for People was something written behind a back door in a back room, and there are no plans there. Even though it sounds good, we know that rhetoric is one of the greatest skills that socialists, social democrats or democratic socialists have. They sound good. It reminds me so much of those who can talk the talk but cannot walk the walk.

But if they come clean, come honest, and say: "Listen, we don't have an answer to these things. It sounded good in the campaign, it sounded good when we asked them to send a letter to Premier Peterson, send a message to him." It sounds good, good rhetoric, but when we ask them to do the thing, to do some walking, to do some action, it is not there.

When we read the manual, we knew that we were in trouble. We, the people of this province; we, the opposition here, knew that we are in deep trouble. But there is hope, I say to my friends, great hope, because on this side, the opposition side, we can give the government good suggestions.

The first is to get rid of An Agenda for People and come clean, and to say also that Bill 1 was a joke, that the government really did not have any plan about how to

charge with that revolt, to get the GST and to attack it. We can tell them to come clean and then we will work together as people of this province, elected people, to bring about a good bill. We can do that. We are quite co-operative. Look how co-operative we are today. We will stay until midnight tonight and debate the government's agenda, the way it has been set. If the government comes with that kind of a strategy, I think there is hope for us.

I also would suggest that many of the ministers who are connected in some respect to the GST should gather around the Minister of Revenue and say to her that this bill will have a great impact on them, this new law that is coming through, especially the Minister of Municipal Affairs. There are great concerns in the municipalities. They are asking, "What do we tax? When do we tax it?" There is a lot of confusion within the municipalities.

I think my colleague the Minister of Tourism and Recreation is in the House. I know that sometimes he does not want to go home, because in his area tourism is one of the prime industries and it is hurting. They are confused, they are worried, because the GST will have a devastating effect on that industry.

When I see the members looking so relaxed over there, I say they have a plan. They have a manual that they have not showed us. Bill 1 is something that is a preliminary to a great strategy behind there. I know when I was over on that side as a minister, I was working 20 hours a day—while other members, I am sure, were putting in a lot of time—and serving this province of course to the best of my ability. I know that some people can do it right now in five or six hours a day, but I am not one of those geniuses over there. I have to work 18 to 20 hours a day in order to put my worth in. If I could have I would have worked longer, but biologically I could not do that.

I look over there and I see how relaxed they are and I say, yes, they have another manual there, another bill that is going to tell me that: "Yes, it's a revolt. It's an onslaught on the GST. We were just fooling you here. We're going to come clean now. We're going to pull back that Bill 1. We're going to start all over again." They can. There is time to start over.

The government took a long time coming into the House. They really fooled us, because we said over on this side: "They're taking so long to come into the House. Do you know why? They're putting their strategy together." So we spent many days over on this side working before they got into the House, saying: "There is a strategy. Let's go back to all the things they said in Hansard, because they are people of their word."

Oh, my golly, they whimperingly came into the House and thought that we would have just looked at Bill 1. They said to themselves, "Yes, they will be fooled by that. It will slip past them," just as they would like us to extend the time to 12 o'clock until 20 December, when we get out of here, to do their business. First they were late coming in here and fooled us into thinking that they had a plan. Now they would like to decide to burn us out by saying: "Let's stay here as long as possible. This is the plan we want. This is the kind of strategy, the agenda we want to debate."

I still urge them—I do not like to be fooled that long—to bring the real bill forward, that great manual to tell us that it is not a parallel bill to embrace and to hug and to kiss the GST, but to kill it, kill it as the Liberal senators are trying their best to do in the Senate right now. The members should show some guts, show the guts they had when they were in opposition. They should get up and say to us, “Yes, we believe in it.”

What an opportunity they have that both sides of the fence—I am not quite sure about the Tories on this side. I never know where they are anyhow because at times when I think that they are on side on certain things—for instance, earlier on today the member for Mississauga South, I think, stated about rent control that she did not believe in it, but they brought it in. We know how we stand on this side. We want to kill the GST and we want to help the government. So Bill 1 was an extreme disappointment.

1820

I want all the members to ask themselves the question, “Why am I here?” It is a deep question. I know that many of the NDP members are saying, “How the hell did I get here.” But we know why. People voted for them. People voted for them and they really expect them to deliver on the things that they said, not basically to bring in some flimsy bill and tell us that this is their manual.

I think maybe they are too busy reading Gerry Caplan’s manual, *How to Answer Questions*. I do not know if members have read that. They should be quite familiar with that manual. I am not quite sure they got in touch with that manual, the manual that tells all the ministers here to say, “We’ll take it under advisement and bring it back next day.” Yes, I think they are learning that now. Lately they are saying all of that.

But I want members to go beyond that and ask themselves, “Why am I here?” They are here to do the business for the people of Ontario, what they sent them to do. They have laid out their plans already. I would say to them that their manual has been written. They should go back to Hansard, go back to the rhetoric that they used to say.

As surely as their leader, through the mouth of the Lieutenant Governor, stated that this is not only about principles, it is about reality, the Minister of Financial Institutions will be quite alert to the fact that when reality hits home, even he as minister of auto insurance realizes that there are certain principles we behave on and there are certain realities we have to act upon.

The reality is that people do not like the GST. They would like it to be killed. They would not like the government to bring in a bill to support that. If they cannot do that, they could do something like what we had done, which they laughed at when we talked about the 1% reduction, putting \$1 billion inside the pockets of the consumer who needs it. These are aggressive moves, not what I see here. These are positive moves.

They laughed at it and, when they were laughing at that, I myself took another look and said that maybe it is not the best plan. Maybe they do have a plan. That is why I said to them again that when Bill 1 came in, I thought it was a good plan. I tried to read between the lines, as we all do. I want to read more into it. I thought that maybe there

is something I am missing and, as members know, it is so difficult to read bills. I thought I had missed it. I am not a lawyer.

Some of my colleagues here are lawyers and they seem to understand all those kinds of phrases, so I thought that I would take it to some of my colleagues here. I said to them: “Help me in this process. Help me to understand this. There is something here I am missing. This bill here is delivering something that is good for the province, is going to destroy the GST, is not going to go parallel as it said here.” When I heard my colleague the member for Ottawa-Rideau speak about this bill, I woke up immediately and said: “I was right. It didn’t say a word. It had nothing.” So quickly I have started seeing through this NDP government, which promised so much.

I know how all those members there feel. They really thought they were going to deliver something. They really believe in it. That is where the big problem is. They start believing in their own rhetoric. It is extremely frightening, because I heard them over there clapping. Sometimes they are applauding things that if they heard themselves—I urge them to go back and look at the tape because all this is videotaped, look at it and see what they are clapping about, see what they are applauding, because they would be ashamed of themselves.

The member for Victoria-Haliburton was talking about his grandmother today. His grandmother told him, and it was very wise advice, that he was to shut up if he had nothing to say. That government over there would have been quiet constantly. Can the members imagine the Minister of Financial Institutions? He had nothing to say. The member for Victoria-Haliburton’s grandmother would be completely upset with him. She would have said, “Peter, be quiet.”

My golly, as I said, if they go back and listen to their rhetoric, they will be surprised, shocked and embarrassed because they are all honourable men and women, and quite intelligent too. Listening to themselves they will say to themselves, “What have I done?” The first act, the first piece of legislation this government put forward said nothing. The members over there should be ashamed of themselves. But there is hope. There should be great hope.

We are in a recession. It took a long time for the Tories over there—where are they? They left. I hope they are listening in their offices. It took such a long time for the Tories to come to the realization of anything, to begin with. They did not realize that they needed rent review until they realized they were going to lose the election, so they put in a partial rent review process. Then it took a long time for them to understand that there is a recession. Poor Wilson could not pronounce the word.

When the NDP was in opposition, were they ever using the word. “We are in a recession.” A couple of days after that, after 6 September, they could not pronounce the word “recession.” They started saying: “We can’t do anything because there is no money. Yes, we have a recession. We didn’t really know there was a recession,” although they had plainly written in *An Agenda for People*, “Ontario is now in a recession.”

Yet after 6 September they would not admit to the fact that there was a recession, so there is a different strategy by which they approach things. They had the opportunity when they put their first bill in to attack and help and give the economy a kick so it can get up and go. This government did two things, as a matter of fact. By the time Bill 4 came in, the government gave the recession another kick down.

The kick that the economy needed to get up and assert itself, to make sure that we can live in the way that all the hardworking people of the province of Ontario want, it did not get. Now people are losing their homes, people are losing their businesses, and again this government's GST manual and the attack, the revolution, the revolt it is going to do is no revolt. They are going to war with a slingshot—I do not think anybody even heard any sounds of any arms at all—a catapult.

The government should look at it and say, “Can this help the economy?” Let us answer that for the government. It will not help. It will not help in any way. I urge the government to use the resources here, to look at the intelligence on this side of the House. We are offering them those resources. These members would not even offer their resources when they were on the other side. As a matter of fact, can members imagine that the now Minister of Financial Institutions would use that kind of resource?

Hon Mr Kormos: Go ahead and name them.

Mr Curling: I have named him, the minister of cowboy boots. I heard he got new ones. Then what did he do? He did not help. We have not heard a peep out of him yet and I am worried. I am extremely worried that really there are no plans, that this government has no plans and that therefore we are going nowhere with regard to the assault that we have coming before us.

1830

In order to understand how I feel about Bill 1, members have to understand why I came here. Why is it that I seek to be a member of Parliament, to be elected? It is so that I could hope to make some changes in this Legislature. I ran in 1985 because I thought that the community to which I belonged in Scarborough North was not properly represented. I respect the individual who was there for years, a great man, Tom Wells, a Conservative, but somehow he was out of touch with the reality of things. So I thought I would talk to the people and understand what their desires, their needs and their aspirations were all about. Then, in meetings and town hall meetings, I responded in the way that I think showed an understanding of their needs and they responded in the election of 1985 when they sent me here to represent them.

I know how difficult it is. I want to maybe give a word of advice to the new ones, because I was new. I am just five years older than they are in this House, those who are elected for the first time and those who are in cabinet for the first time. I know how difficult it is to speak out. But I want to say to the backbenchers, and I hope all the backbenchers are listening and I hope that the Minister of Financial Institutions is not distracting them, because this is good advice, this is sound advice: When they got here

they wanted to speak out about the issues, but I know that the government would like to discipline them and say, “This is the party position.”

This is all relevant to Bill 1, Mr Speaker. I know you may be concerned about what this has to do with Bill 1. It has a lot to do with Bill 1. It talks about representation of the cause and the revolt that we were going to get here. I want them to speak out on Bill 1, to speak out against it.

The fact is that if the members opposite said this is a good bill, then I am surprised.

Hon Mr Kormos: Why are you so negative?

Mr Curling: I know I am so negative. The member asked me, why am I so negative? I was waiting for this positive bill, Bill 1, that they have here. He feels I am negative towards the anticipation that there will be a positive bill coming into this House. I am negative and very upset and disappointed that they pulled the wool over my eyes for a couple of days. I said that. I told them all, as I said earlier on, that I thought they delayed coming to the House because they had a strategy. I was fooled by that.

I went and sat inside the caucus of the NDP and spoke to them independently. I spoke to the Solicitor General, a very nice man, but shallow in the sense of policies where he should have contributed. I would have hoped that the Solicitor General would have made his contribution. I have tried to read inside here that there is some input that he has made into Bill 1. I feel it is not there. He is too intelligent to know that his contribution is here.

I have spoken to many, many of the members over there. I am looking for their contribution. Let me tell members this: If the bureaucrats quickly wrote this Bill 1 for them, they should start reading it. Many members are talking and I know they have not read the bill. They should read the bill and then say to themselves, does this represent our constituencies? Is this what our constituencies are saying? If it is not—well, I am sure it is not—then they can speak out in caucus. They may not get into cabinet, but so what? They may not get to be parliamentary assistant, but so what?

The most important role that they have here is to represent their constituencies. They have to represent their constituencies in a manner so that they are proud of them. They want to hear them speak about the ridings they are from. They want to recognize themselves. They want to recognize that this member is representing me, my cause, my concern.

If they sit there and tell me that Bill 1 does that—you cannot use the big-L word, but I think the big L will be there then—they will not be representing them properly. They are not representing the people properly. It does not go anywhere, so therefore it does not reflect what their people in the ridings want to hear. I think they have a right to hear that.

Mr Speaker, you are concerned with what this has to do with my being elected to this House. You gave me that look, like, “Get back to Bill 1.” That is Bill 1. I want you to understand that, because I know you are paying close attention, Mr Speaker, very close attention, just like the members here. It must be able to reflect your constituency.

I know how busy you are, Mr Speaker, and that sometimes you do not get to your constituency as often as you would like to, but you do a hell of a good job still. So do the ministers here and the members there. I know your contribution in caucus and the members here in caucus lies in making sure that every bill—private members' bills, all the bills—reflects your constituency.

So I would urge the government—here is their time—to change the complexion of politics in this province. Gone are the days when you hang on to some sort of a party policy which you cannot find. Change that. People are asking for a different kind of representation these days, and they are asking for a simple representation. They are asking for representation about their concerns, not about pie-in-the-sky kind of socialist stuff, that we are all going to share all the cows and the milk and all that together. They will not represent their concerns.

I want to say to the government that the isms are gone today. The liberalism and the socialism and the conservatism are gone. It will come together as soon as they deal with the realities and the things that concern the people in their ridings.

My disappointment, my extreme disappointment with the bill is that it is the first bill, the signal of where the government wants to go and it is going nowhere. It is a great opportunity for me to speak in this House at length, and I intend to speak at length because—it is advice I am giving to the members here—speaking at length was not afforded to me as a minister. At times what happens is that one is so concentrated in the job that one has to do as a minister.

I am urging many of the backbenchers here to get up and speak. If they believe in it so much, they should get up and say so. They should get up and say, "I believe in it," but not just say, "I believe in this bill." I want them to point out in that bill where it reflects their constituencies.

I am nervous about the GST. I wonder if this is going to erode my disposable income, have, and I get more money than many of the people outside there in my pay. I am very worried because I can hardly afford the things I want today in maintaining and affording my children to go to university. There are two who are at university now. I am sure Deone and Nicole are wondering if dad can afford that next year, because the GST has eroded that.

1840

They asked me after the election: "Dad, the Liberals have lost the election for the government. Do you think that things are going to be worse in this province?" I told them: "I have worked with these colleagues, the politicians, for the last five years. I strongly believe, regardless of party affiliations, that they believe in their province, that they believe in this country and that they will be fine representatives of the people. I have heard them. I do not believe everything that they say, but I think they will do a good job because they love their province."

I have known many of the ministers, the present ministers now, as friends. They are fathers and they are people who are concerned about this province. So I said to them, and to my son who has just started working, I said to Tyrone: "Fear not. All this ism doesn't bother me, the

socialism and all that. They love this province and they'll do a fine job." I said to them, "Just watch out." They said to me: "But dad, the GST is something that I'm worried about, with the books that I have to buy and all the services. I have to get a haircut. I've got to put more money on that." One of my daughters has two jobs in order to help at university, and my other daughter has one job, just to help us through. All of a sudden she felt that the GST is a percentage that can be knocked off her disposable income and my disposable income in order to put them through university. This is frightening.

At that time, as I told members, I was not concerned too much at all. I was confident that whoever would be the government would charge and get the message straight through to Ottawa, relieve some of the Liberal senators who have taken over and decided that they will put a stop to this GST in the best way they know. Did the NDP at all try any support of that? No. They did nothing, but I still had hope. I said that when they introduced this bill, all that would be solved.

Alas, I am saddened today to know that nothing has been done. Sneaking through this little bill. To say that this is the revolt: I did not feel it only for my heart, I felt it in my pocket and my two children's pockets that we were going to lose the battle of the GST. It could, as it is said, sock it to them. Maybe that is how members think the GST would be.

There is still hope. We have a couple of days more. If members listened to the Minister of National Revenue, he said: "Just get it in your head that it is here to stay. It will not go away. Tell the small business people to get on with their act, because the GST is here." It is the same way the NDP government is behaving. Before the bill is passed, they are behaving like it is law. Members saw that. They saw the behaviour of the Minister of Housing. They saw the behaviour of the Minister of Revenue here. It is almost as if it is law. It is not law. It is a bill that is passing through to be debated.

Then they get upset if we debate it. The House leader today, Mr Speaker, you heard her, said, "I thought there would be a couple of debates and then we'd move on." The audacity of her to feel that. I am sent here by the people of Scarborough North to debate this bill, to put their cause. She said: "Well, listen, I don't think we want three or four speakers or so. We just want three here and two here and two here and it's over. We move on to the next bill."

No. My colleague in Scarborough, my dear friend the member for Scarborough-Agincourt, knows the emotion that is out in Scarborough and knows that we will not stand for that. If members feel that he is the only one who feels that way, the entire caucus felt that way. They are lining up, waiting in the corridors to speak on this bill, to talk about where their constituents stand on this bill. For the honourable member, the House leader, to say that she thought this would be over and done with because they were elected—as she said, she is not into any quick election. There is no hurry. There is no hurry to go home.

I know Christmas is going to come and they want to go home to their families so they want to end the House on

the 20th. Do members know what? I am not even concerned about Christmas because I do not think that I am going have a Christmas with the way they are behaving and the kind of bill that they are introducing here. I think they have destroyed my Christmas—not mine, but they have destroyed Christmas for my kids and for many, many people in this province, because they have put their hope in them. They thought they were Santa Claus. I really never tried to believe in that fellow, but sometimes you hang your hopes up that somehow some saviour will come in. I thought that government at times would come in to assist, to support, in this onslaught that the federal government comes on with with this goods and services tax.

We intend to debate this bill, every one of us. We will speak out about it, that this is not sufficient to lay on this revolt they talk about. My dear colleague the member for St George-St David was just completely destroyed when he heard some of the proposals there. I watched him, this man who was contributing so much to the province. We have to reassure him that somehow our debate may help, because behind all those stone faces over there, behind all these people who seem to be insensitive so suddenly—as we know, they were the conscience of the people; the NDP were the conscience of the government. They cannot even have their own conscience now. They have lost all their conscience.

There were the people they would bring within the House each day, all the poor people, people who are homeless. Yes, I am hurt when I see all this happening in my province and my country, hurt to see all of that. My golly, I seem to be somehow bringing this home to them and I am not getting any response. We heard the response of the Minister of Housing. We heard the response of the Minister of Revenue and the Minister of Financial Institutions; no sensitivity, no heart. They have no heart at all.

I am appealing to them and not only am I appealing to them; I am appealing for my daughters and my son and all the sons and daughters whose money is being eroded by this GST. They have an opportunity. They should not fuff it off on to the federal people and pass the buck. We have a very rich province here, a province rich in minerals and resources. We can stand up and speak loudly.

They should not sit on the back bench there and feel that I cannot speak. I wonder if Uncle Bobby—they all call each other by the first name, Mr Speaker, I am not at all violating any protocol in this House: "Call me Bob, my first name, because that brings home that I am listening and I am a part of it. I am a soul, a complete part of the human race." Then when I appeal to them, it shuts down.

From the position where I am standing I can see the members plainly and I get no emotion out of them. I hope that by the time I have completed at a quarter to 12 or so tonight, I will appeal to them that Bill 1 is important. It is important because it touches—maybe that is why you were trying to find irrelevance there, Mr Speaker. There is great relevance. It really affects the pockets of everyone.

Imagine, Mr Speaker—I am sure you do not—I visit the barber very often and quite a few of my friends do. I am not praying to be less hairy, but the fact is that you go to the barber and then they are going to hit you with

another tax on that. You read a book. Let me put this straight, why I feel that Bill 1 and the GST are a very regressive process. Members know very well that 25% of our adults here are functionally illiterate, and they know that this is a disgrace in this country. People must learn to read and write because it brings access to a better life, an opportunity for a better standard of living. If we go out and buy a book now—wham, the GST socks it to us. Bill 1 does nothing about it, nothing. How can they be so insensitive as not to realize the impact this would have on people? They did absolutely nothing about it.

1850

I am extremely concerned. If there is something we can do—we have suggested a way. We can put money in the pockets of the consumers; we started with that. The only babbling I hear over there all the time is to say we are putting tax upon a tax.

I want to move beyond that. I want them to set up a committee. Let's study this quickly, because they love studies. We have heard so many studies over there and they are good at that. I know they are good at pause, delays, moratoriums. They are good at those things: "Let's wait and see." I say this is urgent business. Let's put Bill 4 back a bit. Of course, it is urgent too, but this one is extremely urgent. The reason is that the federal people are driving ahead with the GST and we, as this big province that contributes most of the tax moneys that are collected, can make a great impression, a profound mark on the GST. But if we sit back and do things as we are doing today, nothing will happen.

I know how they feel over there as government members. They would like to speak out about this bill. They would like to say: "I disagree, and I would like to tell the minister and then quietly corner the Minister of Revenue from time to time and say: 'Madam Minister, this is a bad deal, but I can't say anything outside there. Don't tell Premier Bob I feel this way, but this is a bad bill and I'd like to put something in my bulletin in the community.'" The minister would say to them: "Before you do so, would you mind bringing it to me so I can vet it? We don't want to embarrass the government." But they will be embarrassed when they go back to the polls, when the people ask them what they have done. They cannot tell them that the minister told them it is working contrary to this bill.

I am telling them to speak out. If they do not want to speak in the House so that it is recorded in Hansard or recorded on TV, they should call the minister. I know a couple of them right now are speaking to her and saying to themselves that this is a bad bill. I know that right now the Minister of Tourism and Recreation is in deep conversation, saying: "Minimum wages are coming in. The GST is destroying our industry. I was given this wonderful ministry. I had great hopes I was going to turn this province into a place where people come; they would even need visas to come here," and then he said, "It is rapidly disappearing."

As I eavesdrop on his conversation right now, he is saying: "Madam Minister, help. Is this is the way we could help the economy, the tourism industry? It is going down the drain, sliding down the hill, the slopes." When he was appointed—and he was one of the most honest ministers

over there; I commend him—he said, “Listen, I don’t know very much about tourism.” He reminds me of myself in that when I was appointed Minister of Housing, I said, “I have a learning curve, and I want time to learn the process and deliver.” My golly, there is evidence today of that, and I will go into it another day, about that wonderful Bill 51, the rent review process which they are trying to dismantle.

In his honesty, this Minister of Tourism and Recreation said, “Listen, I want to learn it.” When I spoke to him he was excited. He thought he had died and gone to heaven. I would have felt the same way. If I were given the Ministry of Tourism and Recreation, I would have said, “My golly, this is the way I would want to go if I had to go.”

Then what happened? He saw Bill 1. This is what I was saying. He was in great ecstasy, and I am telling you why he is speaking to the Minister of Revenue today. He said: “All those dreams, and now it’s a nightmare. I woke up and, my golly, I saw the dismantling of my ministry. They hit me with the minimum wage and then they came back with this GST, another hit from the side.”

Then he said: “Help, Premier Bob. Speak to Madam Minister over there. She said we have to do it because we’re going to bring in a bill that will drive a revolution. We’re going to rebel against the GST.”

And he returned to the tourist industry and said: “Hope is alive. I am back as the Minister of Tourism and Recreation and there is going to be a fine ministry once more, because my socialist government will bring in a bill on that first day.” And they said, “Please get into the House quickly.” I am sure they said that. “Please get into the House quickly, because we need something to help.”

And, my golly, he waited and we waited. What came in? They were late coming into the House, as I said before, and this came in, destroyed the hopes again. That is why he is speaking today and sitting beside her and saying, “Madam Minister, this is not working.”

I commend him for his boldness. Sometimes in cabinet he cannot even get to speak to her. I commend him for bringing this forward. I know he cannot write it in his constituency bulletin, but I commend him for bringing this forward to the Revenue minister: “Save tourism.” There is one hope for saving tourism, and the minister can do it.

That is why, again, I am saying that we are here to help. Oppositions have strategies that will help the government. We make good, concrete, intelligent suggestions, but we will not take credit for them. I know that if we had had a good bill before, they would have introduced it and sat over there and applauded, just like the applause for all the other bills we had in the mill which they introduced. They think it is all their bill, and the people are saying, “What a government.” It is okay. They were so generous, too, and so polite. Many times they stood up in the House and said, “This was a Liberal bill, and we want to commend the previous government for drafting this bill,” as with the Police Services Act. Therefore, if we had done a Bill 1 for them, which would be a different bill on the GST, they would have introduced it. I am saying there is hope.

Behind me here, all 35 members—and I am sure there are some good suggestions that come from the Tories;

from time to time they suggest one or two things that are good—can then present it to the government of the day and say, “Here is a revolution, a way we can attack the GST.” There is hope.

1900

I tell them again; I am going to be precise. I will make available my office all day on Wednesdays. They can all drop in and I will get some of my colleagues to drop in so we can give them the ideas to redraft this bill. Sometimes it is more difficult to amend something that has gone bad. Let’s pull back a bit. It can be done. They should just pull back the bill and then we will put our brilliant minds to assisting them.

Let me just advise them and the minister over there, because by the time we have done this bill properly it will be four years and they will be calling an election—or being socialists they may not; they may postpone the election, which cannot be done. The fact is that by that time people would not know whether we had given any ideas to the bill or not. They can take full credit and say: “You know, we’re very proud of this bill. We’re the ones who organized this revolution and stopped the GST and we are proud.”

The standing ovation my interim leader talked about, when the now Premier talked about the Constitution in such an eloquent manner that we all got up and applauded him—we applauded him because he was making sense. When they do this thing properly we all will get up and applaud them for the wonderful work they have done, the great work they have done.

Mr Drainville: There’s not going to be any applause, Alvin.

Mr Curling: The member is right. There will not be any applause, because they will not listen.

That brings me to the word “consultation.” Just as an introduction, consultation, as the NDP has stated, is opening up the door and letting people who have never touched the powers before feel the power. “Touch me”—like a preacher. “Touch the radio, touch the TV, and you can always feel the healing power.” They are asking everyone to come in because they want to have consultation on Bill 1. Where is the consultation? “Come in, because our platform is that these corridors were never open before to people. They were all shut out.”

I was trying to think who these people were. It could not be the union people and OPSEU, because when I was a minister I invited all the Leo Gerards to come in and they gave me sound and good advice. When I was Minister of Housing many of the tenants came in and gave me very good advice.

I am asking now: Where is the consultation for Bill 1? I realize that the rhetoric, or the “principles,” as they call it in the throne speech—I heard the Lieutenant Governor sit right where you are, Madam Speaker, and read in his deep voice that this is not only about principles but about realities. Where is the reality of consultation on Bill 1? Where are these people coming in? Have we set up any process to have consultation? No. If that is so, I do not know about it. I have not seen one person called in. Maybe

the minister could tell me if there was any consultation at all—I have not seen any—because we would like to hear. As the backbenchers there have been muted and are not speaking on behalf of their constituencies, maybe the constituents should come in and say, “These are my concerns in regard to Bill 1.”

I do not want to speak for the other members out there, but if it is necessary I may do that, because if they are reneging on their job, copping out on their job—I realize the Conservatives are concerned that I am going to speak longer. I am going to speak as long as I can, because I am disturbed that consultations were not done on this bill and also that the backbenchers are not speaking out, so I take the prerogative to speak for them. I can be chastised later on. They are not speaking, so someone has to speak for them.

I am very disturbed about the fact that we have not consulted the people on this bill, because it is extremely important that the people’s views are heard. Who is being taxed? It is not just the 130 who are in this chamber. It is everyone, the almost nine million people in this province who are being taxed each day. They are the ones whose pockets have been burning. We can recall when a dollar was a dollar; today it is a loon. Therefore, it does not mean a lot these days because the value of it is gone, and gradually Bill 1 is doing that. It is taking away money, not putting in money. We want to put more money in the consumer’s pocket. If we want to hear it solidly, if we want to know what the true thinking is, consultation is the way. We had also said as the government that we wanted consultation on all of our bills, and we did the best we could. Their first one: no consultation.

People are asking me: “What is this all about? When is this government going to speak to us? They’re not speaking to us.” I appeal to the members opposite to call their constituents in. I want them to read petitions here every day, saying their constituents would like to sit down and talk and they are concerned about Bill 1. I am not hearing that at all. They must be proactive, not go to sleep. They just got here, they have just been here a couple of weeks. There is a lot of work to be done. I think they should do this, their first one, right, but they have started off wrong.

I know you are not proud, Madam Speaker, that Bill 1 has not gone that way. I know you are committed, because not only are you the Speaker but also a member of Parliament. You are concerned, in your other hat, that consultation has not taken place. If that is the trend of this government, we are in for some very depressing times, for some isolation from the people. This government that is supposed to be for the people seems to be distancing itself because of its lack of consultation.

I am going to wrap up now by speaking for another hour or so to say there was no revolt. There will be no charge to attack the GST. They continue to dismantle this country with their policies. All the ministers here, whom the GST will have great impact on, should get together with the Minister of Revenue and speak to her, not only the affected ministers but all the backbenchers should do so. They should take my advice and take the advice of the members of the opposition here and consult and talk to

them. They have some great ideas. I challenge them to do that. Do not be embarrassed about that. I think they will be better people for it, for learning from some of our experience.

Learn from us. Learn from me, as an individual who had just come into this House and realized what kind of role one has to play. They should talk to us. They should talk to their constituencies.

1910

I say that it is a sad day. I hope we can turn this around. It was a sad day when Bill 1 came in and the honourable House leader felt that was not our prerogative to debate this in its entirety, to bring to the attention of the House the disappointment we have. It is a sad day when we in this House feel, as members of Parliament, that every bill that is introduced in here, whether a private or government bill, should be debated in its entirety and listened to and learned from.

I still have some hope, because I believe that these mothers and fathers and members of Parliament and grandmothers will be proud of the member for Victoria-Haliburton. Even if he has nothing to say, he should say it. We will find within that some sort of semblance of improving this bill. I am sure anything is better than Bill 1.

The Acting Speaker (Ms Haslam): Questions and comments?

Mrs Marland: The last words of the member for Scarborough North were “Even if he has nothing to say, he should say it.” I think we have just had one hour of that.

Mr Elston: He gets the last word.

Mrs Marland: Yes, I realize the member for Scarborough North has the last word, but I really feel it is unfortunate that we are going through this exercise simply because the Liberal Party, the former Liberal government, has totally reversed its position on this piece of legislation.

I think it is very significant that everyone in this House, even those members this evening who were not in the former House, the newly elected members, whom at this moment I would like personally to take the opportunity to congratulate on their election and welcome to the role of representing the people who chose them as their representatives—regardless of the partisan political roles we are all bound to play in this House, to be elected is a very great privilege and honour that each one of us shares in a collegial manner.

Having said that, I think it is important that when we rise to speak in the House we are very careful that we do not trip over words that we may have said in a previous House. Certainly we know that the Liberal government was 100% behind putting the GST on goods and services in this province and then adding the provincial sales tax on top of it. Now they are speaking in opposition to that.

Mr Drainville: I have been known at some time in my life as a person of prayer, and as the honourable member from the Liberal Party was speaking a moment ago, I must say that in that long hour many prayers ran through my head. I thought of one in particular, “Would anyone save us from this flood of rhetorical verbiage?” but that

quickly passed on to the realization that there is indeed a medicine that can help us, Dr Wilson's GST pills.

Mr Elston: It's out of order, props like that.

Mr Drainville: Oh, a prop is out of order.

Mrs Marland: Everybody does it. Go ahead.

Mr Drainville: Have the members ever seen them? The pill for every Canadian, best after 1 January 1991. It has a warning on it, though. It says, "It's the hardest pill to swallow," and, "GST pills will act safely and quickly to provide safe and temporary relief from the effects of over-taxation." I would like to leave some of these in the lobby across the way for the opposition members, particularly in the Liberal Party, so that they might take a few.

I would like to say one thing, though. It was very clear in the presentation by the member for the Liberal Party that what he was sure about was that there was no revolt. Well, we know that there is a revolt and we have seen the revolt in terms of the things that have been said in this House. We know we have tried our best to fight the federal government on this issue. We will continue to do so. We know that we have put forth this legislation because it is good legislation. It indicates that we will not tolerate the pursuing of a tax item that will be divisive to the country and that will lead to further hardship on the part of lower- and middle-income people.

In conclusion, let me just say that the member needs to get his facts straight.

Mr Elston: I just want to join in complimenting my colleague the member for Scarborough North on his presentation of material. I wanted to indicate quite clearly that while there are some people who are concerned, we are speaking on the GST because we opposed the tax and have said so with a hearty series of debates here spear-headed by Liberals. My colleague the member for Mississauga South has risen to talk about us not wanting the tax on the tax. My colleague the member for Victoria-Haliburton, who at one time thanked heaven that he was a Liberal, now just prays that he will be again because, I can tell members, he is quickly losing any sense of direction from the Agenda for People that his party ran on in the summer of 1990.

You, Madam Speaker, probably remember the Agenda for People. You may have used it once or twice as a reference point to gain the odd vote in your great constituency.

This legislation, as has been well set out by my colleague the member for Scarborough North in his remarks, is a signal of a giveaway or a give-up by the NDP government. The fact that the member for Mississauga South has stood in her place and condemned us for saying that we do not want the tax on a tax is an indication that her party has not been able to find it in its heart of hearts to stand up and tell the people that it really does not support Brian Mulroney. In fact, their buddies and chums, who wish to have the opportunity to be appointed to perhaps another federal commission, or maybe become a judge or maybe join some august body there as Tories, do not want to say they do not support the GST. We freely say we do not support the GST. We freely admit that we wish to fight against it. We will freely and fully fight against the GST.

This bill represents the government's giveaway, the giving up, the striking of the flag that signalled its earlier drive to fight the GST.

Mr Hope: Just to put a little bit of clarity on some of the comments that were made, there is hope at Queen's Park. I just wanted to make sure that was straightened out.

The other part is that we are hearing the dramatized speeches that are prepared today when we have an important issue that is being faced by workers across this province, small merchants who are faced with this problem called the GST. They talk about why we sit here until midnight tonight. Then the Liberals have come forward saying: "Why don't we extend it for later on? It's retroactive. Let's cause more burden to the merchants who have to collect this and then we will go back on them later on, so they have to straighten this up."

This is an important issue and what we are seeing is the amount of Liberal mentality that is being implemented on this GST bill that we are trying to introduce, trying to help people. They say, "Where is the fight at?" Well, the fight begins when they start taking to the streets with the people and start indicating that the goods and services tax is an unfair tax.

I went through a number of campaigns and I had a hard time finding a red tie out there signing a GST ballot, opposing the GST or standing out on the mall corner with the GST ballots and helping us in a cause that we felt was very important, to try to send a clear message to the federal government that we wanted no part of the goods and services tax and that the goods and services tax was a bad tax.

But to sit here during this time and listen to some of the comments—they say, "What is the NDP doing?" What are they doing? Are they out in their communities being an important voice in what is going on in this fight against the goods and services tax? I think that is what it says. The people are tired of lipservice in this House. What they want to see is people out on the streets supporting their cause, not talking to the media or the papers, but to be out there with them on the line fighting the goods and services tax.

1920

Mr Curling: If that is a clear message and Bill 1 is a clear message that they are against the GST, my golly, it is a little peep I am hearing. I cannot hear any message at all. I am surprised. As a matter of fact, the only positive thing I have seen happening here is that—

Mr Elston: They've come alive.

Mr Curling: Yes, I have woken them up. They will start thinking now and I am glad. As I said to them, whether they are for it or against it, it is all right. Let them just say something and do not just sit there and oh, oh all the time.

My colleague the member for Mississauga South commented about some of the things I had said. Although she was not here, she seemed to understand it all. But I want to say that we stand very firmly and clearly against the GST. We are saying that we stand to help the government to draft a law, as a herald saying that we are against GST and

that this is the strategy. We are here to help and I am going to give that invitation out over and over. We are out there.

The problem with the government over there is that he went around. He said he was looking for a red tie. Red ties do not speak. We speak to people. Let them stop speaking to red ties. Let them speak to people, like we have done. That is not the situation that is happening here. As long as members are here, they will hear the position that we are taking against the GST. I want to encourage all members to continue to speak out. I think they are doing a good job, whether they are for it or against it, but let us hear them. That is what they are elected to do.

Let them stop sitting on the back bench there, all being muzzled by the ministers and by the Premier. Let them speak out and then we can work within that line. If there is some sort of semblance of facts or some important stuff coming out, we will find it. We will put it together for them.

Mr Chiarelli: First of all, I am sure there are a number of people at home watching this on television, wondering whether this is a replay or whether we are live. I just want to reassure them that we are on live tonight from the provincial Legislature.

I am sure the question comes up, particularly for regular viewers, why are we sitting in the evening? I want to try to put that in a bit of historical perspective. We are talking about Bill 1, the first bill introduced by this New Democratic government in the 35th Parliament. To put it in historical perspective, I particularly want to bring the member for Hamilton Mountain back to 1985. I believe he was here at that time. There are about 21 or 22 members of the government here tonight in the Legislature. I think it is important that they realize what is happening now in this third week of the 35th Parliament.

If we go back to 1985, members will recall that Frank Miller was the short-term Premier. He came back into the Legislature and after three or four weeks he was defeated. His throne speech was defeated. At that point the NDP and the Liberals got together and formed, basically by agreement, the Liberal minority government. At that time there was a so-called accord, an NDP-Liberal accord.

What happened in a very short time frame was that the NDP and the Liberals sat down to intense negotiations and determined an agenda for the people. They wrote it down and agreed to it. Within three weeks from that agenda for the people, the Liberal cabinet was in place and the Legislature was reconvened. I am sure the member for Hamilton Mountain will recall that.

At that point in time we will also recall, to put things in historical perspective, that for the first bill of a new Parliament the new government came in with a \$2.5-billion deficit. There was no recession at that time. While there was no recession, there was a preceding period of 10 years in which there was almost no capital spending by the previous Conservative government and very little committed to new programming.

In fact, in 1984 the Ministry of the Environment had reduced its budget, and capital spending for the whole educational system in 1984 with the Tory government was \$75 million, so while we did not have a recession to deal

with, we did have many years of underfunding and we came in with a \$2.5-billion deficit. That is in 1985 dollars.

We look at what happened this time. This time, on 6 September at 9 o'clock, 10 o'clock at night, a lot of people were quite shocked and quite surprised. I am sure a lot of members on the other side were surprised that they were forming a majority government.

Mr Charlton: Probably a few over there too.

Mr Chiarelli: There were a few over here too, and a lot of people out there across the province. I am not questioning the decision that the people of Ontario made, but I am going to say that a lot of people wanted to know why it happened.

I think there was a common trend or thread through the assessment of the 6 September election, and that is that people were tired of the so-called old politics. There was a tremendous amount of cynicism and people said it was at every level: municipal, provincial, particularly federal. They wanted a government that was clean, that was going to live by its commitments, by its word and by its promises.

The new government proceeded slowly. As I mentioned, in 1985 in a minority situation, the Liberal government was able to put a cabinet in place and negotiate an agenda within three weeks. In this particular instance, the government waited some two and a half months to reconvene Parliament. We are now in the third week on a fixed calendar and they are saying, "Why do you want to debate?" They are saying, "Why won't you let us get our agenda through?" In fact, today in the third week they moved a motion to have evening sittings because they feel we are taking too much time debating.

I think the debate is important, and I think the debate is important on Bill 1. The debate really puts in focus the priorities, the commitment and the integrity that people expected of this new government, the integrity that people voted for when they voted for a change.

I want to refer to the speech from the throne. I am going to quote from it: "My government's first challenge is to earn the trust and respect of the people of Ontario. My government's integrity will be measured by the way this government is run and our relations with the people we serve. Our task is to guard against institutional arrogance and the abuse of power wherever they exist."

I want to repeat that first sentence again: "My government's first challenge is to earn the trust and respect of the people of Ontario." In that election campaign the new Premier made some promises. One of the promises was that he would lead a tax revolt against the GST. I ask the members opposite, what do those words mean? We are now dealing with Bill 1, which is a New Democratic Party government bill to harmonize the retail sales tax with the GST.

The members opposite will say: "It's very similar to a bill that you brought into the Legislature. You should be agreeing with us because it's close to the bill that the then Treasurer, Bob Nixon, introduced." They miss the point. The point is that this government came in on the basis of integrity and asking the people to trust it to make a

commitment and respect its promises. One of the key promises, everyone across there will agree, is that they would lead a taxpayers' revolt against the GST. Well, it is not there. The people across this province, particularly small business people and people with limited incomes, want relief. What do they see in Bill 1? Bill 1 is very symbolic. Bill 1 does not give them relief from the GST. It does not give them relief from the hardships of the recession.

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I do want, first of all, to comment on our critic, the member for Ottawa-Rideau. She looked at Bill 1 in some detail, section by section, clause by clause. I think she made a very good case that the details of Bill 1 really were a breach of the election promise of the NDP government.

I want to put it in a little different perspective. I want to look at the rationale for Bill 1, this harmonizing GST bill, why this particular bill should be Bill 1 when the people of Ontario were expecting a lot more. What should have been Bill 1? I am going to make a few suggestions on how a different Bill 1 could have helped very significantly a lot of people in this province and a lot of people who are looking for economic relief. I am thinking of such things as the NDP promise on Sunday shopping. The NDP made a very clear, specific promise that it would introduce a bill to create a common pause day before Christmas. They cannot deny they made the promise. They have to admit that at this time, they have not honoured that promise. The Attorney General is going to say that—

Ms S. Murdock: This is a debate on Bill 1.

Mr Chiarelli: It relates to the GST because we are talking about what Bill 1 does or does not do for the pocketbooks of small business people. I am going to relate it to the Sunday shopping promise and the rationale why Bill 1 could have been otherwise.

We look at Sunday shopping as a promise. We look at what the NDP said Sunday shopping is doing to the small business person across this province. They said it was going to create a significant hardship. They had the opportunity to create a taxpayer revolt on GST to help the small business person, and they did not do it. They had the opportunity to do it on Sunday shopping, but claimed they could not do it. The Attorney General, the member for Rainy River, said: "We really couldn't do anything because of the court challenge. We have to wait for the court challenge." I want to relate that excuse to something that occurred in the last Parliament.

In the last Parliament, I introduced a bill dealing with the abolition of the "notwithstanding" clause in Canada's Constitution. That bill was debated in this Parliament. The then Leader of the Opposition—

Mrs Marland: On a point of order, Madam Speaker: I did not stand on a point of order when the member for Ottawa West started on the Sunday shopping issue. I thought I would let it go by. Now he is on the constitutional debate and areas surrounding that. I do feel, in fairness to all of us who are being subjected to sitting this evening to speak on Bill 1, that the speaker should in fact speak to Bill 1.

Mr Chiarelli: I respect the comments of the member for Mississauga South. I assure you, Madam Speaker, that there is a connection. It is a point that the members opposite want to deny me, as a member on behalf of my constituents, from talking about what really should be done in this Legislature in terms of legislative priorities and what the real Bill 1 should be. I am talking about how Bill 1 does not help small business people, as those members promised, and I am talking about what the true Bill 1 should be. I am going to continue in that vein—

Mr Elston: On a point of order, Madam Speaker: I have been in the House for a little while; I was out and had an apple for dinner as everybody would like me to have. In the course of running debates it is customary—in fact, it is a requirement of the Legislative Assembly—to have either the parliamentary assistant or the minister sitting in his or her place. Neither is here and has not been here for some time.

Mr Chiarelli: I would make another point, that is, that this is a tax bill. The tradition of the parliamentary system is that particularly on a budget matter or a tax bill there is more leeway given to the type of debate than would customarily be allowed in the debate. So I am going to continue to point out why Bill 1 is the wrong bill to have started this 35th Legislature, that the small business people have not been well served by this Bill 1 and that they could have been much better served by a Bill 1 that addressed some real concerns that small business people have across this province. That is very relevant to the GST, because small business people are really being hit. They are being hit by the recession and by the GST.

Everyone on the other side acknowledges that they are being hit by a whole host of issues, so I want to say that they did have the option to bring in legislation to help small business people on the question of Sunday shopping or on a constitutional point. It is very relevant. The then Leader of the Opposition, now Premier, participated in that debate. I think it is very important that we understand what his position was at that point: His position was that he was prepared to use the "notwithstanding" clause to override any court case based on the Charter of Rights. The court case dealing with Sunday shopping was based on the charter. This Premier and this Attorney General could have walked in here on the first day and used the "notwithstanding" clause to introduce a common pause day to help small business people in a way—

The Acting Speaker: I have brought the honourable member back to Bill 1 on at least two if not three occasions by indicating that debate should be on Bill 1. I do not want to have to stand like a schoolteacher and remind the member, so would he please talk on Bill 1 at this time?

Mr Chiarelli: I will talk on Bill 1, Madam Speaker. I want to say with respect, having been in this Legislature for three years, that you are giving much less latitude than any of the other speakers, deputy speakers and persons in the chair have done. I am going to do my best to stay within the confines of Bill 1. I say that this is Bill 1, there is a principle underlying it, there is a reason why it was introduced in the House and I think it is perfectly in line

for me to talk about the rationale of this bill being introduced and why other bills could have been introduced to deal with some of the people who are supposed to be protected by Bill 1, namely, the small business person. So I do want to take exception to your ruling.

I will use my best efforts to stay within the confines of the legislation because small business people are very concerned about the GST. Small business people are very concerned about the recession. Small business people are very concerned about a whole series of issues which are making it very difficult for these hardworking people to make ends meet. I think it is very relevant for me as the member for Ottawa West to stand up and talk about what legislation should be here to address that, including Bill 1, and to discuss what a Bill 1 should include at this point for the NDP government to honour its commitments.

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I do want to say once again that in order to help small business people and in order to keep an election promise, the Premier could very easily have introduced a Bill 1 to help small business people to create a common pause day. He could have done that by using the "notwithstanding" clause. He is on record as being in favour of using the "notwithstanding" clause to overrule the charter. Bill 1, in terms of helping small business people, missed the point.

I do want to get a little more specific in terms of small business people and the whole area of tourism. I represent an area, the region of Ottawa-Carleton, that is very dependent on the tourism industry. We have in this bill a section that indicates that the government is going to harmonize some tourism rebates with the federal legislation by regulation. We have the opportunity to create certainty for small business people and tourism operators. We have an opportunity to create certainty for the people in my community who depend on the tourism industry. In that regard, I want to refer to how important tourism is and how important a tax revolt against the GST, as the NDP promised, is to the small business people in my community. That is very much to the point.

In my area of Ottawa-Carleton, the tourism industry in Ottawa provides 27,000 jobs. Tourists spend \$460 million each year in Ottawa. The above figure is multiplied two times in economic spinoff. There were four million visitors to Ottawa in 1988-89. This figure will drop off more this year. Tourism is down everywhere in North America because of the recession, and the fears that are there because of the GST are absolutely tremendous. As a matter of fact, representatives of the Ottawa tourist bureau have indicated that the GST will murder us. It is very relevant.

In this bill, the Minister of Revenue had the opportunity to create certainty, to bring in specific legislation that would tell the small business people exactly what is going to happen. At this time, she is governing by regulation and we have not seen the regulations.

In terms of the GST and what it is doing in another part of the province: I was informed today with respect to the Windsor area. It is very significant that Chrysler Canada and Hiram Walker—

An hon member: That's no small business.

Mr Chiarelli: That is not small business but it does represent a lot of jobs for small business, which I am going to get to.

Chrysler Canada has started a policy of using travel agencies in Detroit because of the GST. Hiram Walker has done the same thing. My understanding from my information today is that there are layoffs in the travel industry in the Windsor area because major users are purchasing their travel tickets from travel agencies in Detroit. A lot of travel emanates out of Detroit by Canadian business, and they are now using American travel agencies to avoid the GST.

So I say to this New Democratic government, which is very sensitive to the loss of jobs in Windsor, that it promised it was going to lead a revolt against the GST. The revolt has not happened. What they have done, basically, is bring in a bill that says: "The GST is going to happen. All we will do is pass a bill to harmonize with it." To their credit, in a sense we had a bill similar to that which the former Treasurer was going to introduce, but he was not on record in the campaign as saying he would lead a taxpayers' revolt.

Let's look once again at the words in the speech from the throne: "My government's first challenge is to earn the trust and respect of the people of Ontario." There was a tremendous change in this Legislature on 6 September. That change took place because people thought they might be electing a government that would keep its promises. Bill 1, the first bill introduced, is a breach of a promise.

What did they do to try to claim that they led a taxpayers' revolt? They went to the Ministry of the Attorney General and said to one of their lawyers, "Would you please join that court case over there?" Yes, the same as they are doing with pension reform. They take a lawyer off a case and say: "We've honoured our commitment. We made a promise to do pension reform." What does the Premier do? He comes into the House and says with respect to the Ontario Hospital Association case, "We're pulling the Ontario lawyer off it." If the Ontario Hospital Association were to win that case and take a surplus holiday, what has the government done? Nothing. Tokenism.

In this particular instance on the GST, they did not pull a lawyer off a case; they put a lawyer on a case. Some revolt—playing chess pieces with a couple of Attorney General lawyers. They expect the people of Ontario to think of that as being reform in the case of pensions, or in the case of GST to be leading a revolt.

The reality of the situation is that we had the free trade debate. In the free trade debate the then Premier was going to take on the federal government and fight free trade. Some of the rules changed in terms of the subject matter of the agreement, so we lost provincial jurisdiction in the free trade debate. It ended up that the Premier, having made a promise, had the ground taken out from under him in terms of the subject matter, so there was very little that could be done in practicality to fight free trade.

But this Premier promised to lead a taxpayers' revolt against the GST. What has he done? He has simply gone to the Ministry of the Attorney General and put a lawyer on

an existing case. What else has he done? Zero. Some revolt.

Can I ask the members opposite: What does leading a taxpayers' revolt against the GST mean? What does it mean? Does it mean I get elected and forget about it?

An hon member: It means not electing a Liberal.

Mr Chiarelli: One of the members opposite said it means not electing a Liberal. So the people did not elect Liberals. So now what do they do with their promise? That is point one. What is point two? What is the second stage? I do not hear any answers. What does it mean, leading a taxpayers' revolt against the GST? In the election campaign their leader said, and I want to go back to the throne speech: "My government's first challenge is to earn the trust and respect of the people of Ontario." The halo is gone. The first bill that is introduced is a breach of promise.

I also want to talk about the GST in another context. Once again, it has to do with the symbolic nature of Bill 1 being the first bill introduced in this Legislature. It also has to do with the government's throne speech commitment: "My government's first challenge is to earn the trust and respect of the people of Ontario." We know that in the election campaign a number of things were said, and one of the things said by the leader of the New Democratic Party—I am going to try to find the exact quote here if I can; yes, the quote from some of the news media was: "NDP leader calls Premier Peterson a liar." Have members ever heard that? Of course, they have. It is a headline.

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Mr Perruzza: Is it true?

Mr Chiarelli: An NDP member says "it is true" in this House. Madam Speaker, is that appropriate?

Mrs Marland: Because it was true.

Mr Chiarelli: In any case, there is a double standard obviously developing here. Where is the integrity?

Now, why did the media say, "NDP leader calls Premier Peterson a liar"? He called him a liar because he supposedly broke an election promise.

What do we have here in Bill 1? We have an election promise which has been broken. Does that give us licence to use the same language? How come in the space of three weeks, pre-election, post-election, that type of language used by one person against another person is legitimate because he broke an election promise, yet now we want a kinder and gentler Legislature? We have a broken promise.

I ask you again, Madam Speaker, can I walk outside these doors now and create integrity in government, as the throne speech says, by using that type of language? Has the Premier turned a new leaf in his book? Is he now saying, "Well, I'm the Premier and, okay guys, put the white gloves on because we are going to use proper language and we are going to have a kinder, gentler Legislature."

Let's look. We look at the promise of leading a taxpayers' revolt, which by Bill 1 did not happen. It is just the opposite. If we look at the statements from the Minister of Revenue, she says: "We are going to harmonize. We

want to do this to make it comply with the goods and services tax that is coming in." Is that a revolt?

This bill is probably a good bill. That is not the point. The point is this government came in, these members came in on integrity and honesty, and Bill 1, very symbolically the very first one, is a breach of an election promise. That is important to the people of Ontario. It is important to the people of Ontario to realize that the halo is off, that the goody two-shoes on the other side are carrying on in government like all other governments and they are not so special. The people in the back benches know that because they are in caucus now and they are being told: "We can't do this now. I know we promised it. We'll have to do it later. We'll have to consult."

Oh, so what about Sunday shopping? "I know we promised a bill before Christmas to help small business people, but we cannot do it."

Mr White: Point of order.

Mr Chiarelli: Madam Speaker, do you want me to give the statements to the member? He is going to say that I am straying and I am not talking about Bill 1. We know the point of order, and Madam Speaker, I am going to say to you that by reference, two or three or four sentences to relate something to Bill 1 is totally appropriate and I am going to continue to do it because these people on the other side do not want to hear the truth. They do not want to hear that in point of fact they are breaking their election promises, including Bill 1.

Mr White: On a point of order, Madam Speaker: The member refers again to an issue which is not under debate and very clearly he just indicated that he has no intention of desisting from that. Under standing order 15(a), you have the right to request him to desist.

The Acting Speaker: I have been listening to him. I find he is staying within the guidelines we have asked him to stay within. He does refer to Bill 1, and I am letting him talk. If I find that he is not staying within the guidelines that I have asked him to stay within then I will call him to order.

Interjection.

Mr Chiarelli: I find it rather humorous. People at home might want to know that the Treasurer is now in and he says he finds it rather humorous that the Liberals can take any position on any issue. I want to say that one of the biggest issues facing the people of Ontario is integrity in government, and integrity in government means living by your promises, including the issue of the promise of the New Democratic Party to lead a taxpayers' revolt on the GST.

I did want to refer to that broken promise point again, and I was rudely interrupted, so I want to get back into my train of thought. I was indicating that in the election campaign the then leader of the New Democratic Party, now Premier, indicated that for breach of a promise he called Premier Peterson a liar. I was trying to relate that to the present Bill 1, which by all objective accounts represents a very significant breach of promise on the part of the New Democratic Party to lead a revolt against the GST.

Madam Speaker, I can see you are rolling your eyes and making faces, thinking that I am not on point. With respect, I am on point. I am talking about Bill 1, and as long as I am referring to Bill 1 I am on point. As you are well aware, body language says a lot. I am trying to tell the people at home what the body language of the Speaker is. She is showing impatience with my referring to the broken promise of the New Democratic Party. I think perhaps she is reacting slightly to the people on the other side, who are a little concerned about being reminded of their, I guess, mortality, fallibility, call it what you want.

[Applause]

Mr Chiarelli: That is the biggest ovation I have had in the last year. Thank you very much.

Interjection.

Mr Chiarelli: Mr Speaker, I noted your remark that the Acting Speaker is doing a good job. I think she is too, and we have a lot of respect for the people who sit in the chair, although we frequently might disagree with some of their rulings or some of their comments.

I was talking about Bill 1, and again, I do want to say to the people who may be watching at home that this is really live from the provincial Legislature. It is live because we are working on a motion by the New Democratic government to have evening sittings so that enough people from our caucus can debate on a bill which we feel is very important. That bill is Bill 1.

Bill 1 is a bill introduced by the Minister of Revenue of the New Democratic government which basically says, "We want to harmonize the retail sales tax in certain ways with the GST." I do want to say for people who may have just tuned in that in the last election campaign the New Democratic Party, including the Premier, made a promise that it would lead a taxpayers' revolt against the GST. I have been trying to find out how Bill 1 in any way reflects that election promise. I have asked the members opposite to try to indicate to me how anything that this government has done represents in any way, shape or form a revolt against the GST. In fact, it does just the opposite. It looks at the GST as a *fait accompli*. It looks at how it can harmonize, and those are the exact words that the Minister of Revenue used when she introduced the legislation. I do want to find her specific quotes here and refer to them, if I can get my hands on them.

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Mr Perruzza: Take your time.

Mr Chiarelli: The members opposite gratefully said, "Take your time." I certainly appreciate that.

I have got the Hansard here from the Legislature on 5 December 1990. It is the comments introduced by the Minister of Revenue that I do want to refer to. In particular she indicates, "Amendments in sections 2, 7, 9, 10 and 14 are for administrative purposes and bring retail sales tax into line with similar GST measures."

What does that really mean to the voters in Ontario? What does that mean when people reflect upon this government's promise in the election campaign to lead a taxpayer's revolt against the GST? And certainly what does it mean in terms of the throne speech promise, or

commitment: "My government's first challenge is to earn the trust and respect of the people of Ontario. My government's integrity will be measured by the way this government is run and our relations with the people we serve. Our task is to guard against institutional arrogance and the abuse of power wherever they exist."

I do want to raise the question as to whether or not, in point of fact, when we look at an abuse of power—

Mrs Marland: On a point of order, Mr Speaker: I know in the procedural rules of the House there is a limit to the amount of reading that can be done when one is making a speech. Personally, I take exception to the fact that we are sitting tonight. Christmas Day is two weeks today. We are sitting here this evening legally under a procedural motion of the government which we supported in the interests of proceeding with the business of the House. I really thought that when we were going to be sitting here this evening we would be hearing innovative, refreshing argument from those members who wish to speak to Bill 1. I think at this point that the member for Ottawa West is not complying with the rules of the House by reading at length and, with respect, he has been off the subject of the bill a great deal of the one hour that he has been speaking.

The Speaker: No doubt all members are aware of the standing orders which prohibit extensive reading from printed material. There is, however, nothing in the rules with respect to being innovative or refreshing in your comments.

Mr Chiarelli: I will endeavour to be more innovative as we go along. I do want to mention to the member for Mississauga South, who with her intervention on a point of order—first of all, I wish to thank her for the break. I had a chance to have a sip of water and refresh myself for a few seconds. But second, I think she has a lot of nerve when her federal party is introducing the GST and she will come in here and try to deny me the right to talk on the GST.

The members opposite, who are harmonizing provincial legislation with the GST, have an ally in the provincial Conservatives on this point. I want to say that we do not have any Conservatives in this House speaking to Bill 1, which is a bill which harmonizes with the GST, because they want the New Democratic Party to harmonize with the GST because they support the federal government on the GST.

Mrs Marland: On a point of privilege, Mr Speaker: I do not plan to sit here without taking exception to the comments of the member for Ottawa West in suggesting my motives for my comments. If he wishes to interpret my comments as that I am personally in favour of the GST, that is up to him. The reason the Conservative caucus is not speaking against this bill is that it supports it because this bill is not adding the tax on the tax. It is not saying that we support any of the tax.

The Speaker: No doubt all members are aware of the standing rules, which prevent members from imputing motives. On the other hand, sometimes it is the ear of the beholder that interprets comments and construes them to be imputing motives.

Mr Chiarelli: I do agree with the ruling and the principle not to impute motives, and if I did that to the member for Mississauga South, I apologize for that. But I do think it is worthy of comment to point out that the Conservatives are not debating this particular bill. I am not imputing a motive.

The statement was just made that they are opposed to the tax on a tax. That really gets us back on the point, because we are talking about the tax that is below, the GST. Tax on a tax? We are talking about the very coming into existence of that other tax, and we are talking about what people are trying to do in this country and this province to prevent that tax from coming into existence. That brings us right back to square one, which is that this government made a promise that it would lead a taxpayers' revolt against the GST.

I say to the members we would not have to worry about a tax on a tax if these people honoured their commitment to kill the GST. There would be no tax upon which to put another tax. I am saying, and I said before, the issue is not particularly the terms of this Bill 1. The issue is that Bill 1 has been introduced at all by this government which promised the people of Ontario that it would lead a taxpayers' revolt and this government which indicated that it was going to bring back integrity in government.

The member for Oxford indicated at one point, "What about 6 September?" when I was referring to the historical context. I want to refer to the historical context again—why Bill 1 was introduced, when it was introduced and why we are debating it here this evening. In 1985, as I indicated, the NDP and the Liberals formed a minority government and within three weeks they not only set out their agenda in written form but the Liberal minority government had introduced—

Mr Perruzza: On a point of order, Mr Speaker: We have been listening to the member now for quite some time, and I certainly have been listening very attentively to what he has had to say with respect to this bill and with respect to some other matters as well. Although he makes some good points with respect to the legislation and with respect to the tax revolt that this government is leading in regard thereto, I have heard this argument once before and I understand that the standing orders stipulate that once a member repeats or rehashes the same argument over again, he should at that point cease debating and he should be sat in his place. He has made this argument already.

The Speaker: I appreciate the member's attempt to establish a point of order and certainly appreciate that you, like me and others, have been listening carefully. The member for Ottawa West.

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Mr Chiarelli: I will say to the member that the legislative process, the political process, can be very complicated and has a lot of dimensions. Statements that may exist in something like the speech from the throne can have a lot of implications and can be related to a lot of things. There is Bill 1 and the implications of the fact that it is the first bill and why it was introduced. Why we are debating it here tonight I think it is very relevant.

I wanted to put it in historical perspective. In that regard, I want to say that I can sympathize with the government House leader who wants to get some legislation through before Christmas. I can sympathize with her that she might be impatient because some members on this side want to debate Bill 1 with some substance and some significance because it is the first bill. I think it is relevant that we are here scrambling for minutes and hours to get the legislation through. Again, we should look at the historical perspective as to why, in this third week of the 35th Parliament, we are confronting this time pressure that we have now.

In 1985 we had the minority government, the NDP-Liberal accord, which in three weeks put together an agenda to represent the commitments of those two parties. In three weeks a cabinet was in place. In three weeks the Legislature was convened. In three weeks the Liberal government, with the assistance of the New Democratic Party, was actively and vigorously legislating a reform agenda.

This government has waited two and a half months to convene the Legislature and put a cabinet together. Now it is saying to me, the member for Ottawa West, that I cannot come in here and debate, that I am wasting time. Shame on them all. They had the obligation to reconvene the Legislature. Why did they take two and a half months when they agreed—the Treasurer is there—in three weeks in 1985 to convene the Legislature with Premier Peterson, and start a reform agenda and introduce all kinds of legislation? They are backpedalling on their promises.

Hon Mr Laughren: This is part of it. Support this.

Mr Chiarelli: I will not support the breach of their own commitments in their speech from the throne. They called for integrity in government and the first bill they introduced is a breach of their promise. I am saying that for the people at home and to the Treasurer who is starting to banter with me.

Hon Mr Laughren: What do you think this is? If you support it, support this. Are you going to vote for it or not?

Mr Chiarelli: I say to the Treasurer that he should best look at his promise to lead a taxpayers' revolt against the GST, because he is well aware of the problems in Windsor that I referred to when he was not in this House a few minutes ago, which I will refer to again.

In Windsor, Chrysler, Hiram Walker and a number of other companies whose names I will have tomorrow, have indicated that they are now going to Detroit to make their travel plans. They are booking through Detroit. Travel agencies in Windsor are laying people off because of the GST. People are buying in Detroit because of the GST. I am saying to the Treasurer that he was party to the election promise to lead a revolt against the GST. What he is doing is harmonizing.

My goodness, we have to look at the words of the Minister of Revenue when she introduced the bill. She is harmonizing. She is saying, "We want our provincial legislation to harmonize with the GST." Admittedly, she is saying, "We do not want a tax on a tax," but the govern-

ment said it would not have the other tax come in in the first place.

It is very important the people in Ontario understand that this particular government is on record in the election campaign as wanting to lead a taxpayers' revolt. I asked the members opposite to try to indicate to the people in Ontario where they can show one fact that has anything to do with leading a taxpayers' revolt.

It is very important, as I mentioned, because in the middle of the election campaign, some three or four months ago, we know that the Premier, at the start of the election campaign, called the former Premier, Mr Peterson, a liar. He called him a liar and the quotes are here. They are in the member for Brant-Haldimand's comments and debate and I have them here as well, quotes in the media, and nobody across there is even going to deny that the then Leader of the Opposition called the Premier a liar. He called him a liar because, according to the then Leader of the Opposition, now the now Premier, Premier Peterson had broken an election promise.

I ask the members opposite, because Bill 1 represents a breach of the promise to lead a taxpayers' revolt, does that give me licence to use the same language, either in this House or outside the House? No, it does not. I could walk outside this House and say it, but if I did say that, if I did call the Premier by that name outside the House, which maybe is acceptable outside but not in here, I would not be acting appropriately according to the new standards of the now Premier. If members look at his throne speech, he asks for integrity in government and he asks for this to be a kinder and gentler place.

How can we take him seriously? The people of Ontario, some 37%, elected a majority New Democratic Party government to honour its election promises. There is no question that the issue was cynicism in government. People wanted a new wave, a wave of honesty. They wanted their politicians to be forthright and to deal with issues in a way that people, voters, would appreciate.

It is so symbolic and it is so significant that the speech from the throne would say that the first challenge is integrity in government. Bill 1 is a breach of an election promise.

Hon Mr Farnan: What is your second point?

Mr Chiarelli: The Solicitor General asks what is my second point. My second point is that I can recall, as can the Solicitor General—then the critic in opposition—that he used to take his glasses off and look over his glasses at the opposition and harangue us. He used to be on his feet for two hours and three hours. He used to accuse us of breaking our promises and hurting the people of Ontario. The Solicitor General is now there as the leader of the orchestra for all the backbenchers, getting them to make points of order, to interrupt me, to break my train of thought, to prevent me from representing the people in my riding. People in Ottawa West—

Mr Hansen: What about Bill 1?

Mr Chiarelli: The comment across there is, "What about Bill 1?" I am going to say, "What about Bill 1?" I am going to talk directly to the senior citizens in Ottawa

West, who are becoming informed as to what Bill 1 is. To those people in Ottawa West I want to say, what would you say if you really knew that the New Democratic Party government here at Queen's Park introduced Bill 1, which is a bill to harmonize the retail sales tax with the GST? A lot of senior citizens, many of them in my riding, are going to be hurting from the GST. I am going to tell members that the NDP doubled its vote in my riding in the last election.

Some hon members: Yea.

Mr Chiarelli: They can say yea and they can cheer and the people at home can hear the cheer. I will tell them why they did it. They thought they were getting rid of cynicism. They thought they were going to have a government and a Premier that lived up to their election promises. They have got the first bill, which is a breach of an election promise, and I, as member for Ottawa West, have an obligation to show those people what is happening here at Queen's Park. They will hear it and they will hear it time and time again. The backbenchers who are here for the first time will hear it on another bill from the Conservatives and they will hear it on other bills from the Liberals.

They are going to understand that they are fallible, that they are not angels from heaven. They have serious problems and they are not going to be able to honour their promises and their commitments and come clean with the people of Ontario. If they were to come forward and say, "We can't lead a taxpayers' revolt against the GST with Bill 1," people would have respect for them.

Mr Malkowski: Then you should practise what you preach.

Interjections.

Mr Chiarelli: Now they are saying they are just like all the other governments in the country. I say to them that this is not acceptable to the people of Ontario.

I want to say that the whip is really out for the NDP on this particular issue because we have a number of Liberals who want to speak tonight and we have a fairly big audience here tonight. They are obviously interested in Bill 1. I am sure that every one of them has read Bill 1. There are one, two, three, four, five, six, seven, eight, nine, 10, 11—

Interjections.

The Speaker: There is quite an interesting rule in this House. While members are not permitted to make interjections, should they wish to make interjections, it must be from where they are seated.

Mr Mahoney: What is the Minister of Revenue doing? It is hard to make one from where you are not seated. Try that one. I am a ventriloquist, not a contortionist.

2020

Mr Chiarelli: I am happy that this lengthy debate is having a bit of levity. I am glad to see that the members opposite are starting to loosen up and enjoy themselves. I think they have probably come to the recognition that there are a lot of people out there who are interested in the GST

and that what their Bill 1 does to the GST is nothing close to a taxpayers' revolt.

The honourable Minister of Revenue on 5 December introduced Bill 1. She mentioned among other things, and I am quoting from Hansard, "Visitors to our province will benefit from changes to the tourist rebate program on goods removed from Ontario and on transient accommodation to parallel the limits in the federal legislation."

My goodness, what could that possibly mean? This New Democratic government, the minister, a minister of the crown, some three weeks into the first Parliament they are governing over indicating "accommodation to parallel the limits in the federal legislation." To the people at home that means they are passing legislation to harmonize, to make it compatible with the GST. They are talking in particular about tourism, about visitors to our province.

There is a lot of uncertainty about the goods and services tax. What does this minister do and what does this government do? If members look at, I believe it is section 3 of the bill, it says, "We shall do it by regulation." They say on the one hand that they are going to introduce the bill as Bill 1 to create certainty and to harmonize. I am saying to all the people at home, how could this possibly help to alleviate the uncertainty when they say they are going to do this by regulation? There is no indication when the regulation will occur. It could be next week. It could be five weeks from now. Perhaps they are still wrestling with it. I think they are probably looking at how to make the retail sales tax more compatible with the GST.

In conclusion, and I am sure the members opposite will be happy to hear that I will be concluding soon, I want to say to the people in Ottawa-Carleton, to the many people, 27,000 jobs that rely on the tourism industry, that this government has demonstrated in its first bill that it is not honouring its promise of integrity and that it is not honouring the throne speech commitment to bring integrity in government. I am saying, what a hell of a way to start a new government—Bill 1, a breach of a promise.

The Speaker: Questions or comments?

Mr Johnson: This is the first opportunity I have taken to rise to speak in the House and it has been with some reluctance because I have a little bit of difficulty dealing with some of the conversations that take place back and forth across the floor of this House. First of all, I would like to congratulate you, Mr Speaker, on your election, the first elected Speaker to the Legislative Assembly of Ontario. I would like to congratulate all the rest of those people who have been elected.

Having said that, the member for Ottawa West has reminded us tonight that we have a great audience here. I want to take advantage of that and tell the audience that is watching that with regard to Bill 1—I am not sure what relationship it has with regard to our war, our fight against the GST—I want to let the people of Ontario know that it is the Liberals sitting on the other side of this House tonight who are demanding more time to speak about this bill. The option is theirs whether or not we speak at length or until midnight tonight or beyond that.

With regard to the integrity of the parties, the integrity of the Liberals or the integrity of the New Democrats, I think that they lost on their lack of integrity and so we see them licking their wounds right now. We won because we were perceived to have some integrity. I think our integrity is intact. In fact, the Liberals on the other side are still displaying their lack of integrity by the charade, if I may call it that, that we are experiencing tonight, where they really and truly have the option whether we debate this bill at length or not.

Mrs Marland: I know that when there was support by our party for the extension of the business hours of the House earlier today, it was our understanding that there was some relevant debate necessary on Bill 1. I also thought that the debate would have been relevant not only to the bill, but to the content of the bill.

We have had up to now—it is now almost 8:30—two speakers. We have had the member for Scarborough North and we have had the member for Ottawa West, both of whom, ironically, at the end of this debate, I am sure as I am standing here tonight, two weeks before Christmas, will stand in this House and vote in favour of this bill. If these members are going to stand here and criticize the integrity of other members, be they on campaign trails with campaign promises or not, or the merits or demerits of the bill, personal integrity is where you stand in a debate and you speak either for or against a bill.

All we have heard from these two speakers tonight is a debate against the bill. We will be watching very closely to see how these members, who are making us sit for this evening sitting, will totally reverse their position when they vote. What is even more significant is that the position they will show when they vote is a total 180 degrees from the position of their party when they were the government a few short months ago.

Mr Hope: The question was asked, "Why we are here?" I am a new member here. I want to put clearly to the people who are watching this, who are probably wondering what is happening in this House today, that they are probably wondering what the content of this bill is. What this government is trying to do is put money into your pocket, not like the previous government which used to sit on this side of the House, which put money in one pocket and then took it out of the other.

What we are saying to the people is that we are trying to help. We are trying to do our best on this side, as the government. When we sit here and listen to the shows that are going on on the other side, the people are probably falling asleep. It is very important that we send the message out, no matter what double-talking is taking place on the other side of House, that the main issue of this whole bill is to put money into the pockets of the people of Ontario instead of putting it in and taking it out.

When people elected me to come to this House what they did not want was these long-winded speeches we have been hearing. What they want is the issues, and the issues are: "We're putting money in your pocket and we're doing it today. We want to make sure legislation is in there

to protect you when the GST comes through, but we will help in trying to stop the GST within our limitations."

2030

Mr Duignan: I wish to remind the member for Ottawa West of the reason for Bill 1. The reason for Bill 1 was to break a Liberal promise and that promise was to tax the tax and gouge the taxpayers of this province of over \$500 million. The purpose of this bill is to put that \$500 million back into the pockets of the people of this province.

Mr Klopp: Some accusations were made by one honourable member that we are breaking a promise. I can remember in my conversations during the election that we said we would not tax the tax. In fact, about two or three weeks ago, business people in my riding, one in particular, asked, "Is your government going to come through on that promise to not tax the tax, because we're going to have to change our equipment around?" I said, "I believe we are, but we're going to have to wait because you never know what happens." Now this bill clearly came out that says we are not going to tax the tax and that was one of the promises we had; so I am firmly in favour of this motion.

Mr Jamison: I have a couple of comments to make from the comments that were made by the member for Ottawa West. He took us down memory lane, history. He took us back a little bit, and I would like to also take that stroll with him just for a couple of minutes. I would like to take him back to the campaign in 1987 when in fact certain things were said by the Premier of the province at that point in time that afterwards he had to renege on. What I would like to say is that we have remained consistent from our campaign. We have said all along that we are not going to tax the tax. This is what we are doing here. We have introduced a bill that simply does that.

By the way, just a few short weeks ago there was an election campaign. They put forward their position on the GST. They put forward their position on what should happen as far as the tax is concerned. We put forward our position. We were elected. We were very clear on the statements we made. They were also very clear on the statements they made. We have formed the government, we have introduced the bill and we have remained consistent and we will be seen as being so.

I have difficulty in understanding why the Liberal Party mounted a campaign against the GST that garnered 70,000 people by phone across this province. We garnered 1.2 million. Who is more serious about it?

Mr Chiarelli: I want to refer very quickly to an article that appeared in the 10 December issue of the Ottawa Citizen by Queen's Park reporter Chris Hall. The article is talking about the NDP government: "They're already thinking about re-election. That is why they are not proceeding with any of their own election promises." The article refers to historian Desmond Morton; I think members are all familiar with him. He is an NDPer. It goes on:

"Historian Desmond Morton, a long-time observer of Ontario politics, believes the NDP strategy is quite deliberate. Morton says, 'The experience of NDP governments in other provinces has shown there are two ways to

proceed: the hell-bent approach taken by former BC Premier Dave Barrett or the slow and steady approach used in Manitoba by former Premier Ed Schreyer.'

"At the same time, Morton says the slow pace of reform is an indication New Democrats didn't plan sufficiently to have clear objectives from the outset."

That is why we have a Bill 1 that does not make any sense.

Mr Brown: Members will have to indulge me a little bit in that for the first time in three years I get to be on this side and get to speak. I sat on those benches over there for three years and listened to members speak through six hours of the evening. Once or twice I remember sitting all night and, I will say, that is a very interesting experience, very interesting.

We are here to speak about Bill 1 today and I think that is a very important bill that everyone in this House should participate in. We should hear everyone's views because this is important to the people of Ontario and has something to say about what government in this province and what politicians are about.

I can remember back to the summer of 1990, and I was not at the beach or boating or doing those wonderful things with the family. Presumably like every member of this House, I was going door to door and there was a rather unique phenomenon going on, strange, and only in the world of politics can this happen.

I and the New Democratic challenger both were trying to convince people we were more opposed to the GST. When you think about it, it is reasonably absurd. Who is more opposed? Both parties said they are opposed. There is no reason to doubt that both parties are opposed. When during the election campaign we collected a great number of signatures on a GST petition, my opponent was saying: "Well, these guys aren't for real; they don't oppose the GST. We would revolt. We would lead a revolt. Yes, we would revolt. We would make sure this tax does not happen." That is what they said.

Now I knew, and presumably they knew, that this was a matter within federal jurisdiction; this was a matter that the House of Commons and the Senate of Canada would deal with. We both knew that. The GST is a federal matter. That is what it is about. Yet we had this kind of smoke-and-mirrors flim-flam, the thing that discredits politicians more than anything, as we spoke about our opposition to the GST. I think all members will recall that.

What do we see here in the first bill from a New Democratic government, the people who were going to lead the revolt, who were going to circle Parliament Hill in their limousines, who were going to chain themselves to the Peace Tower and who were going to stop this? What are they going to do? They introduce a bill to harmonize Ontario's retail sales tax with the GST. Quite remarkable. Very remarkable.

In case some members do not recall what the bill actually is about, maybe I should refresh their memory. What it does is provide for a parallel structure to the GST in order to harmonize with the GST. That is what it does, and it does some other worthwhile things. It takes a look at the tourist rebate, which is important. It does some housekeep-

ing things, which are important. It provides a little bit more money for the vendor, the retailer, the small businessman who has to adjust to the GST. Those are important, and a lot of those measures were in fact put forward by the former Treasurer. That is the way it is.

2040

What really are we talking about here? We are talking about smoke and mirrors. We are talking about a group that told the people of Ontario straightforwardly—I have a quote here somewhere from the present Premier of the province—“We are committed to making taxes fairer by saying from the beginning we will have nothing to do with the Mulroney GST.” That is what the Premier said.

Even after the election, what does the Attorney General say? He says, “Fighting the GST is a major priority of this government.” Wow, we are impressed. The province of Ontario sends a lawyer to join two other provinces in what is likely a very hopeless, lost action against the government of Canada.

I think the people will think that is revolt. And this is from a party that knows about revolting. This is a party that knows, and I respect them for it: “If there is a strong issue we know how to do that. We can chain ourselves to bulldozers. We can sit on roads. We can get ourselves arrested.” That is what their party has said. That is what their party has done about issues they think are very important to them and to the people of Ontario.

So what is this? This is a harmonization of the GST to the provincial sales tax. I think it is significant in that the provincial sales tax has been levied at the retail level for almost 30 years. It would seem to me if the government wanted to have nothing whatever to do with the GST it would ignore it, it would do nothing; and if that increased the revenues of this province, then there is a way to fix that. It lowers the provincial sales tax. It is really simple.

My friend the Treasurer says this will save and put \$500 million in the pockets of Ontarians. They can do the same thing by merely reducing the sales tax by 0.5%. That is what they can do. It does not take a harmonization measure. It does not take all this flim-flam. All they have to do is reduce the sales tax. I think that is what Liberals talked about in the last election campaign, only we thought that, given the recession, we should reduce it by 1%. It would put \$500 million more into the pockets of Ontarians. That is what we were talking about.

We were not talking about taking steps to harmonize the GST. We did not want Son of GST, or GST 2, or the sequel. We thought the easiest thing for the Treasurer of Ontario to do was absolutely nothing if he disagreed with the GST. Simple—maybe too simple for politics. I know that we politicians often like to confuse and baffle, but I think at the end of the day the people always see through that. They see what is really being done, and this is one of the great juggling acts.

It reminds me of what happened in this House just a couple of weeks ago. My friend the Minister of Northern Development stood in this House and she made a statement about this report called Concerns Regarding the Implications of the Recent Tax Measures for the Economies

of the North. That is really important. Now what has she done about it? Nothing. Zero. Not a thing.

The minister had the report and she stood here and pointed out, “Northern manufacturers will face special challenges because transportation costs will be taxed under the GST.” So what is she doing about it? Nothing. “The GST will also reduce demand for the northern tourism industry by raising the cost of visiting that part of our country.” What is the Minister of Northern Development doing about that? Nothing. They bring in a bill to harmonize Ontario’s taxes with the GST. It says municipalities, universities, hospitals and schools in the north will also bear higher overall costs because of the GST.

We are looking forward to the Treasurer bringing in his transfer payments some time in January or February, if he ever gets around to it.

Hon Mr Laughren: January. Come on now.

Mr Brown: Okay, January. It is usually November, but January is fine.

Is the Treasurer going to take into account the special costs built in by the GST for northern universities, schools and hospitals? We will be looking forward to seeing if he can accommodate those.

Hon Mr Laughren: Look forward to it, but don’t hold your breath.

Mr Brown: He says, “Don’t hold your breath.” That is quite incredible.

The Minister of Northern Development says:

“The report further states that the impact of the GST on the costs of transportation, energy and housing in the north will be felt by every northern resident. The expenditures for transportation and energy are higher in the north and they will become more costly because of the GST.”

I think that is particularly important because, as all Ontarians know, the GST is being applied to electricity rates for the first time on 1 January. I know in my constituency office one of the complaints I get most frequently is about the high cost of electricity. Many of my constituents heat with electricity. I know that is a no-no, that is not the way to do it, but the fact is that in rural areas where you cannot get natural gas, where even oil is difficult to get, your choice really is electricity.

The GST is going to increase costs for senior citizens on fixed incomes, for people with low incomes and for people on family benefits with small children. It is going to cost them remarkably more. What is the government of Ontario going to do to offset that? I do not think it is going to do a thing.

Mr Charlton: Ground-source heat pumps.

Mr Brown: The parliamentary assistant says, “ground-source heat pumps,” and that is great. That is a really good idea. I understand it costs about \$10,000 to put it in the ground. I understand there is a rebate from Ontario Hydro. I am not sure of the exact amount, but it is reasonably generous. But it is not something that people with low incomes can afford to put in. They cannot do that. Senior citizens cannot do that. The GST hits all those people.

What does the government's bill do? It harmonizes the GST to the provincial sales tax. People in Ontario have been taxed on tax since 1962, the year that the retail sales tax came in. This tax-on-tax business is not new. Nothing has changed. And guess what? After 1 January and this bill is law, they will still be taxed on tax because they are taxed on municipal tax. One may say, "Oh well, that doesn't count." Every time we buy something we pay a little bit of that municipal tax because the merchant has to pay it, he has to pay business tax, and it is passed through. The government is still taxing a tax. It always will be.

From my point of view, I think the approach the government should have taken, the reasonable approach, was to say: "The GST is a bad tax. We should not have had anything to do with it whatever. We should ignore the fact that it's there if we can't stop it." Ignore it if we cannot stop it. Do not change Ontario's rules. If there is a problem, lower the rate. That is what this government has done. That is what it has done essentially by paralleling the tax. I see no great advantage to what the government has done other than to harmonize its tax with the GST.

2050

I think we should talk for a minute about the \$500 million in revenue that this government is forgoing. I think that is quite legitimate. But let's just think of some things in my area he could do with \$500 million. The Treasurer and the Agenda for People talked about \$200 million for economic development in the north every year. He talked about spending \$100 million on Highway 17 every year. Yes, he could do a lot of that work with the \$500 million. It would be good revenue. Now, he can make other choices, and obviously he has. That is fine.

Hon Mr Laughren: We didn't say that. You know I didn't say that.

Mr Brown: It is right in the Agenda for People—\$200 million each year for two years, \$400 million for economic development in the north. It says \$100 million for Highway 17, the Trans-Canada Highway.

Ms S. Murdock: Just the Trans-Canada. It doesn't say Highway 17.

Mr Brown: Okay, sorry, the Trans-Canada Highway each year till it is done—\$100 million.

Hon Mr Laughren: Are you opposed to that?

Mr Brown: I think it is a great idea and I am looking forward, as all northerners are, for the Treasurer to do that. As a matter of fact, I think one of the better places for him to do it, one of the better places for him to start with Highway 17 is in the Elliot Lake area along the north shore of Lake Huron. It is the perfect place. We have high unemployment. My constituents in Elliot Lake are suffering worse than in any place in this great province. We have lost 2,600 positions in Elliot Lake in the last three months. That is significant hardship for those people.

We have families in Elliot Lake who are split. The mother has stayed with the children, the father has gone off to find work. He sometimes gets home every weekend, sometimes it is every second weekend to come home. Families are in distress. Most people are wondering about what is going to happen in their future. Announcements by

this government have not helped what their future might be, but they are very concerned.

One of the things the Treasurer could do in capital expenditures is to spend \$100 million each year until he finishes Highway 17 between Espanola and, say, Iron Bridge. It would really help. There would be jobs for people. We really look forward to that.

Obviously the amount of money the Treasury takes in relates to the expenditures that it makes. I really have to talk about the Treasurer's statement for a moment, because revenue and expenditures obviously relate. One of the things that I am quite surprised at is there seems to be—and the government has done a good job of this, of convincing the people that there is a \$2.5-billion deficit in this province that was left from that heinous Liberal government that ran this place for five years.

The Treasurer opens up with his statement and he says there is going to be a \$2.5-billion deficit. That is what the Treasurer says. I would ask the people of Ontario to look at the last page, where it says—that is where he talks about his progressive and responsible measures—they provide an additional \$1.4 billion for jobs. Well, that may be a good thing. I am not saying it is not, but do the maths: \$2.5 billion minus \$1.4 billion means there is a \$1.1-billion deficit. But then the Treasurer says: "Gee, we happen to get \$500 million from those great feds. God, we didn't know that was coming. We didn't know that. So, Jesus, the deficit is about \$600 million. Wow. Hey, we expect another \$250 million, so now the deficit left by those big, bad Liberals is really \$350 million." That is what we are talking about.

So we get this flim-flam. We got flim-flam about budget, we got flim-flam about tax measures, we got flim-flam about revolt. I think in this age of cynicism about politicians, in this age of people not trusting government, we have to ask ourselves why. We find that people who should know, politicians, people who represent their folks here in the Legislature, should have the ability to make issues clear to people. They should not say, "We are going to have a revolt, we are going to stop this," when they know full well that is not in the realm of possibility.

I find much to commend in Bill 1. It is a rational bill doing rational things, some of them housekeeping, that need to be done. But on the other hand, what I find is very difficult, and it saddens me and I am disappointed, is that we have another broken promise by a government that was elected as the pillar of integrity, so to speak. I think that as we go out over the next four or five years that people are going to remember the broken promises. People are going to remember the flim-flam that was used in the Agenda for People, the promises that will not be kept, and indeed the promises that will be kept.

To the Treasurer, as a colleague of mine said the other day, "You know, the problem is not that you should keep all your promises—everybody knows you cannot keep all your promises—but keep the smart ones, not the dumb ones."

Hon Mr Philip: Oh, you mean keep our promises and not yours?

Mr Brown: On that question, I am kind of interested in the performance of the government so far in my own particular riding. Again, this relates directly to Bill 1 because it relates directly to revenue, which relates directly to expenditure. I understand that most of the promises, maybe not all, but most of the promises made by a Liberal regime in Elliot Lake—a \$10-million diversification fund, a commitment to a detox centre, a commitment to a road to Blind River, which I am sure will be funded—

Hon Mr Laughren: Ministry of Transportation, tell us about that. Tell us about that one.

Mr Brown: MTO, yes. We are having 50 jobs moved by the Ministry of Transportation to Elliot Lake, and we are very pleased about that, and we are looking for the 450 more that we expect to be coming.

In winding up my comments on this important measure, I want to say that my constituents are going to be most disappointed. They were looking for a government that was going to do what it said it was going to do. It was going to stop the GST, it was going to revolt, it was going to do things that people thought New Democrats really could do. But they found out that New Democrats have no interest in keeping their pledges, they have no interest in keeping their commitments, and therefore we are getting this flim-flam Bill 1 as a first measure.

Mr Hansen: I am a new member in this House, and I am very surprised that we are talking about Bill 1 tonight when we actually have not debated Bill 1 at all. We have talked all the way around it, with GST and everything else. Section 1 here, the amendment to paragraph 4 of section 1 of the act ensures that the proposed goods and services tax will be excluded from the calculation of the fair tax value on which the retail sales tax is paid. That is what we are talking about.

I have a letter here which my wife received just the other day. We have a business.

"A message to retailers on GST signs. Under the proposed goods and services tax—GST—legislation, retailers of goods and services will be able to choose between two pricing policies. The first option is to include the tax in the price, in which case you will be required to indicate this on your invoices or by posting signs visible to your customers."

This is what we have. Prices include 7% tax, or 7% GST will be added to the prices. The problem is, if we do not pass a bill like this, the people of Ontario are going to be paying more tax. What we are trying to do is protect them now and then fight the GST.

I am not going to talk for an hour on this, because the first thing we are doing—we are the only province to date right now that has protected its citizens. If we take a look at the other provinces, they have not taken a move. Ontario is in the forefront of taking the first move with Bill 1 here.

2100

Mr Mills: Tonight I was planning on going and doing a bit of Christmas shopping, and I heard the news that we would be sitting here till midnight. I must say that I was excited to hear that, because I thought I would be sitting here tonight listening to some scintillating debate. I

thought it would be a real inspiration to me to spend the evening and the late evening here listening to the experienced politicians.

I have been very sadly disappointed. When I went from door to door campaigning in August this year a number of people said to me: "We are not going to vote for anybody because we are fed up with the lot of you. We have got no confidence in you."

Tonight, when my honourable friends the member for Scarborough North, the member for Ottawa West and the member for Algoma-Manitoulin spoke such gibberish nonsense that does not make any sense to the people who are watching this show, I would just like to say that they have done nothing to generate more feeling among the people that next time around they will want to vote for politicians. They have done nothing to help that. I am sure that people look here and think the members are crazy, and I have got to agree with them.

Mr Sola: I would like to congratulate my colleague the member for Algoma-Manitoulin and I would like to talk to the members of the government who are complaining about the lack of relevancy of the speeches from this side of the House.

Having sat in government for three years, I must say that my colleagues have taken as a role model the former members of the official opposition and of the third party. I must say they have been very bad students because there has been much more relevancy in the speeches of the members for Algoma-Manitoulin, Ottawa West and Scarborough North in their brief speeches here today than I heard in three years sitting in government from all the then opposition members combined. I must say that if they think this is bad, they should tune in some of the speeches of their colleagues on the front benches. If they have trouble going to sleep, they will certainly have no trouble after listening to them.

Hon Mr Farnan: What bill are you talking about?

Mr Sola: Any bill the honourable member wants to talk about, particularly the ones that he tried to explain, like Sunday shopping, where he went off on every tangent. At least our members kept referring back to Bill 1, kept referring back to the relevancy of Bill 1 to their constituency and the relevancy of Bill 1 to the people of Ontario at large. I would like to congratulate them once more for getting up and saying their piece. They must have been quite successful, especially the member for Ottawa West, who was interrupted numerous times for points of order because he was getting under the thin skin of the government.

Mr Sutherland: In an earlier speech the backbenchers of this side were accused of being silent. I just want to state for the record that we have not been silent and we are willing to speak on the issues, but we are only going to speak when there is something of relevance to speak about. For the people of this province who are watching on television right now live, I want to give them a piece of advice: If you think what you have heard in the last three hours is not relevant, then I want you to call Queen's Park tomorrow. I want you to call the office of the leader of the

official opposition. I want you to call the members of the official opposition. Call their offices and tell them to stop wasting the people's time and wasting this House time.

The members of the opposition here have been complaining left and right. They have been complaining that they have not had enough time. They talk about how important these issues are, that they need lots of time to discuss them, and then when they get up and speak, what do they say? "Well, it is not an important bill. This is an irrelevant bill." The members of the opposition cannot make up their mind as to what they want. Is it important? Is it irrelevant? They should make up their minds. I mean, how much time do they need to speak about this bill?

Surely the members of the opposition, particularly the experienced ones, can make their points very succinctly and get their point across—whether they support this bill, whether they oppose it, what is good about it; maybe, heaven forbid, even some constructive criticisms, but I do not know if we could expect any of those from the opposition. Surely the members of the opposition could get to the point very quickly and we could put this issue to rest and get on to some new business.

Mr Brown: I find this really passing strange. They talk about our not being relevant and yet all they do is criticize style. They do not speak at all about the measures that are in this bill. We have been waiting for the government to stand up, for the members on the back bench, the seals, to stand up and say, "Why, this is a good bill." We have been looking for the revolt. The members are revolting. They know how to do that. They really know how to do that. They should go chain themselves to bulldozers. They should go circle the Peace Tower. They should go do anything, but they should not tell the people of Ontario that this bill is revolution, because it is not. It is a harmonization bill, it is a bill to make the province's taxes work with the federal taxes.

The federal tax we are talking about is the GST, the wonderful GST that the member's constituents and mine do not seem remarkably pleased about. I tell the members they have to stand up and talk about substance. They have to quit the flim-flam, talking about style, talking about what the opposition might do. They have to start saying, "This is how the revolution is going to be. This is what we are going to do, this is how we are going to do it," and rather than having, in the bill, a section that says that this provincial measure will take effect on 1 January, the first day of the GST, the government will do something to stop the GST. If they cannot, they will stand up and tell the people of Ontario: "We had a little problem with our election promise. We did not mean it. It was just to get us elected."

Mr Phillips: I am pleased to have an opportunity to participate in the bill, and if the members opposite wonder why we are spending so much time on it, I think we do view it as an important bill. It is the first bill that the government has introduced. I think we have been looking at it as the signal of how the government does plan to fight the GST.

I think it is fair to say the government regards it as kind of the crown jewel in the fight against the GST. The GST, by all accounts, is likely going to come in on 1 January, so if the government is going to fight it, this is the bill that it is fighting it with. I think Mr Mulroney and the federal government will be looking at this as the first test of how the government is going to deal with the federal government. They are going to be looking at it as the test of how the government has led its tax revolt. I think Mr Mulroney will be frankly surprised at this bill for two reasons.

One is that it contains two major elements. The first, of course, is that the government is not planning to put the tax on the tax. There is a lot of merit in that, but it does cost the taxpayers of Ontario about \$500 million a year, by the Treasurer's account. So I think they have taught Mulroney a real lesson. This is a real lesson to Mulroney. He introduces the GST and what is the response in terms of the tax revolt that they planned? The response is that the Treasurer now will have \$500 million less in his Treasury.

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The second part of the bill that he will look at is that they are harmonizing the Ontario tax system with the GST. So they have acknowledged and they accept the GST and the Treasurer will now have \$500 million less in the Treasury. I understand that.

Mulroney will be laughing at them. The tax revolt is nothing. This is their response to the GST, the crown jewel, as I say, and it is an extremely weak response. It is the first thing they have seen out of this provincial government on a major piece of federal legislation, in response to it.

When they all head home on the 20th and talk about the big fight that they have led on the GST, I think their constituents are going to be surprised when they ask them: "Well, how did the battle go? How did the big revolt go?" You're all exhausted now. What happened? Have you stopped the GST? Have you had any impact?"

No. They have done two things. They have passed Bill 1, which harmonizes the Ontario tax system with the GST. The second thing is that the Ontario Treasury will now have \$500 million less than it had before. I think that when you position it that way, people will wonder about this amazing tax revolt that they promised during the election. I do not think there is any question about that.

The members opposite ask why we are spending the time on it. It is because they have said they will have a tax revolt. They have said this is their response to it. It is no response in terms of a tax revolt against the GST. Believe me, they are going to have a lot of difficulty explaining that to their constituents: "That was your tax revolt? I don't understand it. The Treasury has \$500 million less now. We've harmonized with the GST. Where was the revolt?"

The second thing is that when we look at the Treasurer's economic forecast of a few days ago, we see that he is saying we are having substantial difficulty in funding some programs. There is \$500 million now gone from the Treasury. We heard today a response to one of the questions in the House about, "Will we have a wage protection fund or not?" I was looking just recently at the

statistics on layoffs. If members look at the layoffs since this government came in, 1 October, I have the layoffs here and they are substantial. Just for the month of October, and these are permanent layoffs, it is 1,970 people. If you look at the next three months, November, December and January, over 10,000 permanent layoffs in the province of Ontario will take place.

That is as many people who will be laid off permanently from manufacturing jobs in this province as their entire program of job creation. These are substantial challenges and yet we heard that the Minister of Labour does not have the funds for his wage protection fund that was promised by the Premier four weeks ago.

The reason I raise this is that I think we are going to find a series of groups that will come before this Legislature, come before the Treasurer, all desperately looking for help. The wage protection fund is but one. I think we will find that the Treasurer will be wrestling over the next few weeks with his grants to school boards, municipalities and hospitals and nurses, yet the response we see is that \$500 million of revenue that previously had been planned for the Treasury is gone as a result of Mulroney bringing in the GST. So the tax revolt, the one that was designed to stop the GST, simply has not worked. What this bill represents is \$500 million less in the Treasury of the province of Ontario.

Hon Mr Laughren: You were going to reduce the retail sales tax by \$1 billion. Make up your mind.

Mr Phillips: I think what we will find, as the Treasurer looks at helping groups over the next few weeks, is that this money would be better spent in dealing with these groups. I think we also should look at the unemployment rates. The unemployment rates—

Interjections.

Mr Chiarelli: On a point of order, Mr Speaker: I would like to bring to your attention standing order 20(b) which indicates, "When a member is speaking, no other member shall interrupt such member." We hear, on a regular basis, interruptions from the other side. This government has indicated that it is going to have a kinder and gentler Legislature. I think it should sit and listen. We have a very reasoned, rational discussion on Bill 1 by our member, and all we can hear are catcalls, including from the Treasurer, and I would ask the Treasurer and the members opposite—

The Deputy Speaker: Order. Thank you for your advice.

Mr Phillips: What I am pointing out to the members opposite is that as we look ahead over the next few months, believe me, the Treasurer will be saying to the members on the back bench, "We have no money." Some \$500 million worth of revenue was planned as a result of this. I think there is some merit in the proposal, but that is \$500 million that will not be available in the Treasury.

In January the hospitals, the school boards and the municipalities will be looking to the Treasurer for the grants. We look at nurses in this province, extremely deserving. I think the Premier has already made substantial commitments to the nurses. These will be funds that must

be provided. The Treasurer has provided reassurance on that. But again it is revenue that we are now forgoing as a result of the GST coming in and the Treasurer's response to the GST. Far better that the revolt had taken place, that the actions the government promised during the campaign had taken place, rather than this particular response.

Again, I go back to the unemployment levels, which I think all of us now recognize are severe. The one that perhaps most concerns me is the unemployment rate among young people. Certainly as I look at the October numbers—I do not yet have the November numbers—we have seen almost a 50% rise in unemployment rates among young people, and yet to date we have seen nothing in the job creation programs that the government has announced, 10,000 jobs, that would address this very critical need. These are funds a portion of which could have been available for dealing with youth unemployment.

We look down the Agenda for People and we see time after time postponement or study on commitments. There is one thing that I would have thought might have been appropriate in dealing with the Retail Sales Tax Act, seeing that the Premier announced the establishment of the Fair Tax Commission. I might have thought that this might have been one of those issues that could have been dealt with by that commission. Rather, we have taken one element of the tax system in Ontario and dealt with it in isolation, recognizing that the GST is coming, but this is an area the government has now predetermined, made the decision on and essentially taken that way from the Fair Tax Commission.

As I said before, I also feel that this particular element of the retail sales tax could have been considered by that Fair Tax Commission, could have been looked at within the total context of it. I might also say that the Fair Tax Commission could do with fine and well-defined terms of reference. I think that what we have seen to date is the announcement of the Fair Tax Commission, but without clear direction. I would have preferred that this could have been one thing that the Fair Tax Commission could have considered.

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I go back to the bill to say that there are two aspects of the bill. The reason I think we are so exercised about it is that we had fully expected this tax revolt. We fully expected that there was going to be energy expended by the government, in whatever form it had in mind, to delay or to kill the GST. Instead, as I say, the very first bill that they bring in is, as far as I can determine, the crown jewel in their fight against the GST.

Again, if you are the federal government, you say, "Well, what is the response by the provincial government to the actions we take?" Honestly, any objective analysis of this would say: "You haven't hurt Mulroney with this. You haven't made a big statement to the federal government, 'Don't do things to the people of Ontario that hurt the people of Ontario or we will take action that will have an impact on the federal government.'"

Rather, the government has done two things that I frankly think will encourage them in the future. The government has made the introduction of the GST easier

for them and it has introduced legislation that harmonizes the GST. Both of those statements, I think, will in the end pave the way for the federal government's saying, "Perhaps we are dealing with a government here that is easy to deal with." As I say, both the responses on this bill would support that.

The challenge in the lost revenue—I am glad that the Treasurer is here tonight—is that there is no question the Treasurer is going to be under intense pressure over the next few weeks and few months. I think if he had to do it all over again, he might be looking and starting again, knowing all the numbers he has, wondering, "Is this a source of revenue we want to give up totally?"

The members are going to find here that there are going to be a number of extremely worthwhile projects that the Treasurer, the Premier and the government will find difficult to make decisions on. Certainly, as I said before, one I see coming right up is on the nurses of this province. They deserve an increase. They will be looking to the Treasurer for those funds and will be expecting them, frankly.

But that will not be the only thing: job creation, the government's 60% commitment to school boards and the whole area of dealing with workers who are impacted by those numbers that I outlined. Think about it. There will be 10,000 people permanently laid off in November, December and January in this province. It is already announced and planned, permanent layoffs, more than the total creation of the government's \$700-million capital program. Yet as the Treasurer has told us, we are going to find that funds are scarce. The government may not be able to do the things it wants to do for those workers.

That is why we are debating Bill 1. It is recognition that for the people of Ontario it does provide some relief from the GST, but we would have far preferred a different revolt, one that did not end up with this bill, which essentially is acquiescent to the federal government and penalizes the people of Ontario.

As I said before, I think the bill will simply create problems for the people of Ontario in terms of our relationship with the federal government. I think it will be a signal that this is a government that is easy to deal with, and the next big issue, unless there is a better response, I think will put the people of Ontario in jeopardy.

I appreciate the opportunity to participate in the debate. I appreciate the opportunity to get my views on the bill on the record, and to express to the backbenchers in particular that as they go back to their ridings and their constituencies on 20 December, and they ask: "Well, how did the tax revolt go? Has it been successful? Have you impacted the GST?" I would be embarrassed to say that was our response because it just penalizes the people of Ontario.

For the Treasurer, I think he will be looking ahead at his revenue sources with substantial pressure on him and this is one thing he has done that will reduce his revenue. Yes, the taxpayers benefit in the short term, but the people who are looking for services are going to be penalized in the longer term.

I am concerned that the government already is delaying and postponing many of the promises. It says it will still

implement them over the life of the government, but many of the promises were to do them over the next two years. The people of Ontario are looking for that. The government now has less revenue to do that with.

As one of the previous members said, luckily it does appear that the revenue the government is getting from other sources is higher than it thought. I cannot tell from the statement of 4 December, but I guess we will know in more detail in the next few weeks. When the government releases its next quarterly report, we will know what the true revenue is. Luckily, it looks as if it is up substantially.

For this year, the government is able, as the Treasurer said before, to maintain the \$2.5-billion deficit. I suspect it is a result of substantial increases in revenue that the previous Treasurer had originally thought would be there.

Hon Mr Laughren: It didn't show.

Mr Phillips: We will see. I will say that a little side bet might be that I might put more money on the previous Treasurer's estimate of revenue for this fiscal year than the one that the current Treasurer had in his October statement, just a little side bet.

Hon Mr Laughren: You're so partisan.

Mr Phillips: No, I will watch that because when the estimates were made about the deficit this year, it was that revenues were going to be down about \$1 billion. We are watching that. We will see, I guess, at the end of the year when all the numbers are in and we look at what the revenue would have been with our budget. As I said, I will put a little side bet on it. I think we may find that the revenue the former Treasurer had estimated for the year might have been closer than the one the present Treasurer estimates.

Hon Mr Laughren: How about expenditures?

Mr Phillips: We are talking about how the \$2.5-billion deficit was explained to the people of Ontario. It was explained as a \$1-billion revenue shortfall. I would just suggest to the members on the back bench to keep an eye on that because treasurers have a way of saying that there is no money there, but watch carefully because at the year-end they may find there was more revenue there than the Treasurer had shown in October. I may be wrong but I will look forward to that.

The reason I raise that on the bill is that I believe that as a result of the Treasurer's move on this bill—or the Minister of Revenue's, I should say—the revenue this year will be down about \$70 million as a result of the introduction of this bill and \$500 million for next year.

Again, I appreciate the tough decisions one has to make, but as the members on the back bench look at the groups they have made those commitments to, and the Treasurer says there is no money, they should recognize that Bill 1 takes \$500 million out of revenue. That is a decision the government wants to make and that is a decision it is making, but it will be a decision that members will have to answer for to a variety of groups that will say, "Was that the right approach?"

I realize the Treasurer made that decision several weeks ago, but now he is going to find that revenue is gone, and it is gone for ever. At the same time, over the

next few weeks and months, all of these other commitments that the government has made will be at the door and will be looking for the response to the revenue that was lost as a result of Bill 1.

To conclude, the members opposite may wonder why we are spending the time on the bill. It is because the government introduced it as its first bill. It is very proud of this bill. It is its jewel in the fight against the GST. I would not want to hold it up, personally, as the way I took on Mulroney and won. Frankly, this government has not even begun to take him on. All it has really done is cost the people of Ontario substantial revenue and substantial challenges in terms of implementing its own agenda.

That is why we are talking on the bill. It is important to this party. It is important to the people of Ontario. I am pleased to have a chance to get my thoughts on it on the record.

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Hon Mr Laughren: I appreciated the comments of the member for Scarborough-Agincourt in his, as always, very reasoned and balanced approach to these matters, but I would like to remind him that while he stands in his place and criticizes us for taking \$500 million out of revenues for the province—and he is quite right, that means we have \$500 million less with which we can cope with rising pressures on the system out there—at the same time, it was his government that promised during the election campaign to lower the retail sales tax by 1%, which would be \$1 billion out of revenues, not \$500 million.

I think the member for Scarborough-Agincourt should be fair in that regard, as he usually is, and keep in mind that while he is criticizing us for reducing our revenues by \$500 million, his government was going to reduce revenues by \$1 billion. So I think, to be fair, he should keep that in mind.

He did mention one thing that I thought was most appropriate, and that was whether or not our Fair Tax Commission should be taking a look at the GST rather than us bringing in Bill 1, which puts the retail sales tax beside the GST instead of on top of it. I think that is fair comment, and we hope the Fair Tax Commission will indeed look at the whole question of the GST in the province and how it fits in with taxes in Ontario.

On the other hand, I would say to the member for Scarborough-Agincourt that if we had not done this, if we had said we are going to put the retail sales tax on top of the GST, I suspect that he and others in his party would have been in their places, most vehemently, most aggressively and, quite frankly, most appropriately condemning us for living off the avails of a tax to which we were so adamantly opposed. And I think that he would have been right.

Mr Hope: As we have been sitting here most of the night, most of the backbenchers of the government are getting a well-educated course on how the Liberal government operated for the last two years and probably the last five years.

There are a lot of backbenchers who sit on the government side who are very vocal and very instrumental in

what they do in their jobs and how they believe in representing the people of their constituencies. The unfortunate part is that viewers—if there are any left—who are watching this program must realize what the opposition is now trying to communicate across to this side is the whole strategy of their government when they were in government and how they were trying to put muzzles on people other than cabinet ministers. I must make clear that this is not the way this government will operate and I do not think any of the members will operate in that fashion.

I think it is very important that we are talking about an issue that is something a lot of us have dear to our hearts, that we have been out on the streets in many of our battles pursuing this. I am sure most of the members here would like to get up and make comments but, as we drag on to the extreme—I guess—boringness of the conversation dealing with the whole issue of the GST and how the Liberals are telling and educating the backbenchers of this government, I think it is important that we really move on and start addressing the whole issue. The whole issue is helping people to put money into their pockets, and helping people by understanding what the Liberals were doing in their program of lowering the tax and then piggybacking it, and then as they piggyback it, the GST will escalate and what they will be doing is taking more money from the Ontario people.

Mrs Marland: The member for Chatham-Kent, who just was on his feet, is right on one score. I am sure that anyone who might have been tuned in to channel 34 at this point would have found something superior to this debate. Maybe it is the TV listings or the weather channel, but anything at this point would be superior to the debate we are being subjected to by the extension of the hours of the House to sit tonight, except for the contributions of some members of the House and perhaps the singular member for the Progressive Conservative caucus.

What is really bothering me more than anything else is that I think we could all stand here tonight and make a wager, except as gentlemen and ladies we do not wager. But if we were betting people, we could certainly bet that the people in the Liberal opposition—and I thought the member for Chatham-Kent complimented them when he referred to “the other government.” They are actually at this point only the opposition party; they were the government. But now, as opposition, they are taking a position that is totally the reverse of the position they took as government.

First of all, they were going to reduce the retail sales tax by 1%, a little plum they plucked out of the air on the campaign trail. But they were going to impose the retail sales tax on top of the GST. This bill is not going to do that, and they are speaking against—

The Deputy Speaker: The member's time has expired.

Hon Mr Philip: There seems to be a considerable inconsistency in some of the things that the honourable member has said. First of all he says, “Thanks to this bill, there is going to be \$500 million less in the Treasury.” Then in the next moment he says, “We are in a recession

and we somehow have to fight our way out of the recession." What he does not say is that there is going to be \$500 million more in the pockets of the taxpayers to help fight their way out of the recession.

Talk about inconsistency. I have listened to the various positions of the Liberal Party as members have spelled them out there—almost as many positions as Jean Chrétien and his colleagues have had on free trade and on the GST. The only one in the federal caucus who was consistent on either of those was Sheila Copps. What do we have here? Here we have the former minister who says he wants to protect workers. This is the man who, as Minister of Labour, introduced five amendments to the health and safety legislation to weaken it, to weaken the power of workers in the field of health and safety. That is the same person.

He talks about the present economic situation and says that somehow he is against free trade and against the GST, but somehow he wants to speak against this bill and yet somehow he is going to vote for this bill. Talk about inconsistency. He talks about unemployment, and yet it was the former government that introduced free trade legislation in the trucking industry. You can go around this province and see how many trucking companies are going bankrupt, and you can blame the Liberals and their colleagues in the Conservative Party who brought in the free trade deregulation in the trucking industry. That is how inconsistent they are, and now they are talking out of both sides of their mouth on this bill.

Mr Phillips: I was interested in the last speaker's comments on occupational health and safety, a good piece of work. There is not one mention in the throne speech about how the government is going to change occupational health and safety. The minister accepts it. There is not one mention about improvement in it, because he likes the bill. There is not one change in it, not one mention, and the Minister of Labour has not indicated he is going to make any changes; so where is he on that?

Let me now turn to the Treasurer's comments. Someone asked who it was who commented on the \$500 million. It was the Treasurer's comment that there will be \$500 million less. All I am saying—and the backbenchers will appreciate this—is the Treasurer is going to have tough decisions ahead. He is going to have tough decisions. He has \$500 million less revenue now. That is fine, but he should recognize, when the groups come before him looking for support, he has given up the \$500 million. That is fine, and that is the decision he has made. I am just saying he should learn and live with those decisions, because he is going to find in just a matter of a few weeks that groups will be asking, "Where is the money, and what will you do for me?"

I am pleased, as I said before, to participate in the debate. I am pleased that we have had a chance to get our comments on Bill 1 on the record. I think we will find, and government members will find, as they head back to their constituents, extreme disappointment in terms of this being the response that the government has provided for the GST.

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Mr Mahoney: Good evening. Nice to be with you this evening, Mr Speaker. Nice to be here among this jovial, happy group to address this very important issue.

First of all, I would like to thank the member for Mississauga South for bringing me the four glasses of water. I see her sitting over there making her confession to the reverend. I just want members to know that I am particularly proud of the member for Mississauga South. Why are they all leaving, by the way? I am particularly proud of her. In fact, I was her campaign manager for leader when the member for Nipissing was running to become Tax-fighter Mike, and I thought the member for Mississauga South should have been the leader of the Tory party. I thought she would have made an excellent leader. I was her campaign manager, and that shows you how far she got.

I will start over. In all seriousness, I have heard some comments from people here that seem to suggest we should not be here this evening. I find that a little strange coming from a government of new, eager—

Interjection.

Mr Mahoney: Well, that is what they are really saying. They are saying that they do not like the debate, the things that are being said. I think one comment from the honourable member for Mississauga South was that people could turn and watch the weather channel.

It seems to me that what we are talking about for the benefit of the taxpayers of this province is taxation, and a particular form of taxation that those people and the gentleman who normally sits here, the leader of their party, the Premier of this province, said he was going to fight.

Government members can throw this stuff about free trade over here if they want but, as I said to them the other day, we are not the government. We got the message on 6 September that for a short period of time the people, at best, want them. At worst they made a mistake, but at best they want them to be the government.

Now let's talk about what they said, because that is what is really important. I must tell them, by the way, I am impressed. I have done a quick count and there are more than 20 here. I remember when we had some difficulty later in our term having people in the House. I am impressed with the House leader and the whip who I know, as I said before, should be dubbed the Iron Lady of this room, have just got those guys cooking. I am impressed with that. But remember something that some members might recall I and other people here have said in the past, and that is that they have to go home and explain what the Premier and some of his people are doing.

Mr Hansen: They can watch it on TV.

Mr Mahoney: Well, they can watch it on TV, but if I were an NDPer, I would sit there and go, "Boy, I'm proud of my guys and my gals and my people. I'm proud of them. Look at that—a cabinet minister. She didn't expect to be one. She was surprised. 'Holy cow, I'm in the cabinet. Now I am the minister. Amazing. Had to wait for the workers' comp claim to come through, but now I am the minister, and here I am'"—

Hon Mr North: That's cheap.

Mr Mahoney: Well, I do not mind. I mean, did it happen or did it not? The member should not get his nose out of joint. That may be cheap to him, but it is a fact; so he should stand up and talk about it when he wants to. Getting a little sensitive over here, are we? Getting a little sensitive. Maybe the skin is not too thick.

The Deputy Speaker: The issue is Bill 1. You have to debate on Bill 1.

Mr Mahoney: I would be happy to speak on Bill 1 but, as you would appreciate, Mr Speaker, having been a debater of some renown in this place, when people take shots at you across, there is a temptation to respond. I will try to refrain from responding too much. With all the back-benchers over there, I will try to restrain myself.

I really find it interesting. The Treasurer spoke about saving the taxpayers \$500 million. Do members know what this is like? It is like my wife, God bless her, wonderful lady, running in the door and saying: "I just saved you \$200. I got a coat on sale." "But honey, you didn't need the coat." "Well, that's beside the point."

Think of the logic. What the government is really saying is that it is saving the taxpayers this money and putting it back into their pockets. Folks, there is a recession on out there. They cannot spend it in the first place. They cannot afford to spend it in the first place.

The government should be looking at something that would be positive—cutting the sales tax, for example, a suggestion put forward by this party, a suggestion for which we were ridiculed; now people are saying: "Boy, that was not such a bad idea. Maybe that would really put some money back in the pockets of the consumer out there."

Instead, the government comes up with this cockamammy idea. As I said, if I was an NDPer, and I am sitting out there and I want to be proud of this government, I would say: "I don't understand. How come they are supporting Mulroney? How come the Bob Rae socialist government is passing a bill that supports the federal government?" If I were an NDPer, I would be totally confused.

Interjections.

Mr Mahoney: The member for Durham East talks about it. Wait, I am telling him, he had better just relax and stay calm because he has some serious heart attacks coming his way. Trust me. I am no longer with the government; so he can trust me. He has some serious problems coming his way.

Here we are debating a bill that is the first bill introduced by this government and it wonders why we are here late. Maybe if the government understood the legitimate serious concern of my colleagues in this caucus—obviously, the Conservatives are in support of the GST. They have left the poor member for Mississauga South here to defend the entire thing by herself. She is sitting there with the ship sinking and her finger in the dike. She is doing a great job, but she is all by herself.

Mrs Marland: Mr Speaker, I am rising on a point of privilege. The member for Mississauga West has referred

to the fact that I am alone this evening in the House representing our caucus, which is absolutely true. But all members of this House know that our caucus had planned its annual Christmas party this evening because the House was not scheduled to sit. However, the House is sitting because we are being subjected to the diatribe from the Liberal members who have reversed their position 180 degrees on whether to put the GST on top of the retail sales tax.

I think in fairness the member for Mississauga West should withdraw his criticism and suggestion that my caucus colleagues are not here because they agree with him.

Mr Mahoney: I am happy to withdraw it, and I hope the member and all her colleagues are having a good time here this evening. I am sorry that I made that reference.

In speaking to Bill 1, I think it is important that the folks at home—my mother-in-law, Edna, will be watching this; she watches all the time—seriously recognize the kind of flip-flops that this government is doing.

Mr Speaker, you can forgive those of us on this side of the House who used to sit over there—as Sam would say, "I used to sit over there and I used to sit over there and now I am here"—and you will forgive us if we are astounded at their position on Bill 1, at the complete turnaround. I wonder if they have actually gone home and answered the telephone. I would not if I were they. The phones will be ringing with their constituents who are going to say to the member for Oxford and to the member for Durham East—

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Mr Wiseman: On a point of order, Mr Speaker: I am rising merely to correct an incorrect identification—unless the member is referring to this empty chair—of the member for Durham East. If he is referring to me, I am the representative for Durham West. I am very proud to be here and very proud to be standing and listening to this incorrect information coming, and to be voting in favour of a bill that is not going to harmonize the tax and will save the taxpayers of this province \$500 million, which they will then be able to use in discretionary spending.

Mr Mahoney: What was that old saying by Winston Churchill? An empty cab pulled up and the member for Durham West got out. I cannot recall that one. It was something like that. I was in error; it is Durham West I was referring to.

But the issue we are debating here, which government members seem to have some difficulty with, which even the member for Mississauga South seems to have some difficulty with, is our right as a democratically elected group of men and women to debate a government bill. Well, we are debating the government bill. We are astounded that those guys would actually stand up in favour of something like this. They have to go back and explain to all those socialists who voted for them that they are actually doing this.

Mr Wiseman: Are you going to vote for it?

Mr Mahoney: That is irrelevant. Do not worry about how I vote. We are talking about how they vote.

Mr Waters: On a point of order, Mr Speaker: I would just like to remind the gentleman from the opposition that there are more than men over here. Even I, as one of the men of the caucus, have a problem with "you guys" all the time.

Mr Mahoney: I think I said men and women. If the member takes exception to my use of the word "guys," that is his problem. I think he should be a little less sensitive and a little less insecure about stuff like that.

Hon Mr Farnan: Shame.

Mr Mahoney: There is some shame in this House, there is absolutely no question, Solicitor General. When I sit in this Legislature and hear comments from you and your colleagues over the last three years and see the utter nonsense you spout in here, you should be ashamed.

The Deputy Speaker: Order. The debate should not be between the member and the government. The debate should be on Bill 1, and please direct your remarks to the Chair.

Mr Mahoney: Mr Speaker, I am delighted to do that, but as you know and as I said before, they are provoking me to react. Generally I am well able to control my emotions, but I really have some difficulty with the nonsense I hear.

Let me go back to Bill 1, if I might. I have heard this stuff about small business. I understand small business. My riding of Mississauga West, indeed my entire city is a city that has grown to great levels of success because of small business.

Mrs Marland: You were a small business advocate.

Mr Mahoney: In fact, I was the small business advocate. I hope this is not true, but I am told that this government is no longer going to have a small business advocate. I have it on fairly good authority that they are not going to do that. That would not surprise me. The Minister of Industry, Trade and Technology has a parliamentary assistant over there, but I do not think he has found out about the small business advocacy.

Hon Mr Philip: Are you telling fibs, or is that true?

Mr Mahoney: I said I had heard it and hoped it was not true. It is not a fib. It is a statement, I say to the Minister of Transportation. When trying to implement Bill 1, I would encourage him and his government to have an advocacy for small business because it is the engine that drives the economy of this province and it is extremely important. Let's talk about what is happening to small business as a result of the GST and Bill 1.

Interjection.

The Deputy Speaker: Order. Would the member for Downsview take his seat?

Mr Mahoney: Yes, he should get in his seat if he is going to catcall.

On the small business side of things, just picture this. I believe what the federal government is going to do is very similar in the long run to what has happened in Europe. Anyone who has bought anything in Europe knows that the price is \$19, value added tax included. Just follow me on this for the small business. If the federal government

turns the GST around into a hidden tax and allows it to become included in the retail price, we will have an item in a retail store that is \$19.95 GST included. The retailer under Bill 1 would then have to say, "Okay, what I have to do here is deduct the GST, then charge the provincial sales tax, then add the GST on top."

The small business community had better get ready to go back to school. They are not going to have time to worry about their small businesses, which are going down the tubes, which this government is doing nothing about, simply saying it is going to consult, simply saying, "We're doing the best we can," over and over again. That simply is not good enough. The government was elected. It has a mandate. The members opposite are now the government. Instead of messing around with going to be with Brian Mulroney, it should be coming up with plans and programs to help the small business community.

The Canadian Federation of Independent Business on the GST—

Hon Miss Martel: They're going down because of free trade. You guys did nothing on free trade. Come on, get serious.

Mr Mahoney: The Minister of Northern Affairs and others are getting awfully exercised. I am doing the best I can to control myself.

The Deputy Speaker: Order.

Mr Mahoney: I appreciate the decorum you bring to this place.

I have documentation from the Canadian Federation of Independent Business, and over the past five years it has become apparent to it that the only viable option around which a broad base of support could be developed was a harmonized federal-provincial multistage sales tax. That may be a position members opposite can support or not, but what is so frustrating to us is that those people have said they are going to fight the GST. If they took the position of CFIB, that might be a step in leading that fight, maybe a little. They could go to Mulroney, as some members of our Senate are doing, and say: "This isn't good enough. This is bad for small business. Would you please reconsider this on behalf of the people we represent as the government of Ontario? Would you please change your GST?"

That is not what the government does at all. What does it do? The very first thing it does when it gets into office is pass a bill. They just pull back the sheets and slide into bed beside Brian and pull up the comforter and snuggle right in. Honest to God, I cannot believe they are doing this. They are sitting there. They are not even worried. That is what is amazing. They have to go and explain this back home. They want to understand why the minister is doing this.

2200

The CFIB, in relationship to the GST—and Bill 1 directly impacts on the GST—goes on to say, "Some of the worst situations will be faced by retailers dealing with goods that are treated differently under their province's retail sales tax compared to their treatment under the GST."

Interjection.

Mr Mahoney: This is not a waste of time. This is important to the small business community. This is important to the retail community. To suggest that we should not be here discussing this just shows those guys are cynical, and they have only been around here for a few weeks.

Mr Elston: Too long.

Mr Mahoney: Well, I was prepared to give them a chance, and I do not think they should throw that chance away. I think the people of Ontario are prepared to give them a chance. It is not a waste of time that we talk about the implementation. It is not a waste of time that we talk about the GST, the most hated tax this country has ever seen. What do those guys do?

Mrs Marland: You should be in the Senate.

Mr Mahoney: I might be in the Senate one day, but it is still a little early.

Hon Mr Philip: Which one of Chrétien's positions do you take?

Mr Mahoney: I do not worry about it. What has Mr Chrétien got to do with this? I should have gone—

Interjections.

Mr Mahoney: Mr Speaker, this is so frustrating. I am trying to ignore the interjections. I am trying. Mr Speaker, you must agree. Hansard will show that I am doing my best to ignore these rabble-rousers, and I am definitely—

Interjections.

Mr Mahoney: Would the member quit laughing, please?

The Deputy Speaker: Order. I just want to make a suggestion. Do not challenge the hecklers.

Mr Mahoney: That is a wonderful suggestion.

Interjections.

Mr Mahoney: See, they are starting again.

"Some of the worst situations will be faced by retailers dealing with goods that are treated differently under the province's retail sales tax compared to the treatment under the GST. Small grocery stores, combination food stores and restaurants"—

Interjections.

Mr Mahoney: This is from the CFIB. I did not make this up. This is the Canadian Federation of Independent Business, people members should care about, people who run this country, who make this economy go. "All retailers will face problems with the differing federal and provincial rules of application in such areas as discount coupons, gift certificates, cash discounts, the sale of used goods, deposits, the repair and maintenance of personal and real property, transportation costs, supply-and-install contracts" and so on.

We are having a changing of the guard. Now I am in trouble. Madam Speaker, they are making terrible remarks about you. I would not accept that.

Again from CFIB: "A two-tiered tax system is also inordinately costly to govern," something I do not believe comes into the NDP philosophy, concern about cost to government. I mean, we could be facing what—\$8-billion

deficits in this province with those guys? Maybe more, they are saying: \$10 billion? I am concerned about the cost of government, and I believe the members opposite should be even if they are not going to be. I guess it will be our job to hold them accountable for that over the next while, which we will certainly try to do.

But if we go back to Bill 1 and the GST, we are concerned about an enormous new federal bureaucracy.

Mr White: On a point of order, Madam Speaker: It seems to me that the member has diverged somewhat from Bill 1. Perhaps some of his colleagues could remind him that that is the substance of the debate.

Mr Mahoney: I do not mind points of order, but I guess I would like them to be a little close to the mark. I have strayed on occasion this evening from Bill 1, but I am reading from a document from the Canadian Federation of Independent Business that refers to the GST. Perhaps you could help me, Madam Speaker. Does Bill 1 have anything to do with the GST, maybe a teeny bit? I think it does. So I do not have any idea where this gentleman is coming from on a silly point of order. Maybe he is now going to tell me.

Mr White: On a point of order, Madam Speaker: I have not yet heard the Speaker's ruling.

Mr Mahoney: This is fun. Anyway, I do not know where he is coming from. It does not matter, because I am attempting to put forward the viewpoint of the CFIB on Bill 1 and on the GST. I happen to feel—

Hon Miss Martel: What about Bill 208?

Mr Mahoney: I will talk about Bill 208 all day long. I am deathly afraid about what those guys are going to do in that area.

Interjections.

The Acting Speaker (Ms Haslam): Order. I am sure the honourable member will be finishing up his debate here on Bill 1 should we give him the chance to do so.

Mr Mahoney: Thank you, Madam Speaker. I am not sure. I was prepared to finish some time ago, but I am not being allowed to get my views across.

The CFIB goes on to say, "In an attempt to get a handle on the true impact on prices of the move from the FST to the GST, we"—being the CFIB—"conducted our own research project."

Interjections.

Mr Mahoney: It is all right for those guys to stand up and speak on behalf of the Canadian Labour Congress or some of those folks—Madam Speaker, you would not do that, I know—but I have some documentation that I think is important to put on the record that shows that small business is very concerned about the impact of Bill 1, about the impact of the GST and about the impact of many things this government is doing.

I find it somewhat disconcerting that members over there would not agree with that position, because whether one is a socialist or not, one recognizes that small business is the engine that drives this economy. It is not done by taking everything over and putting it in government hands.

The CFIB said that in an attempt to get a handle on the true impact on prices of the move from the federal sales

tax to the GST, it conducted its own research project, and since the vast majority of the FST revenue is paid on the products of large firms—and this is important—the removal of this tax will mostly affect the big business sector. Accordingly, during the summer they wrote to senior executives of 132 large businesses in a range of industries asking for information on how the removal of the FST would affect their prices to the best of their knowledge. The answer they got from 132 large businesses was, “We have no idea.”

Maybe this government, instead of just climbing into bed with the federal Tories, could have come up with some kind of assistance for these people in dealing with the GST. Maybe it could have led its revolt with just the slightest bit of seriousness. Maybe it could have tried to help the business community and tried to do something that would allow them to improve their position—attack the recession, do something, lead a revolt.

We talk frivolously about chaining ourselves to the Peace Tower, but in reality the government has done nothing about fighting this recession and it has done nothing—

Mr Drainville: Where are your chains?

Mr Perruzza: Where were you when you were the government?

Mr Mahoney: Never mind where we are. We are in opposition, and we accept that for the time being. We will do something to change that later. Just stick around and watch. There will be a few members opposite who will wind up over here and get lucky like me and get out of those back benches and down closer to the front, maybe, but I would not hold my breath. Like I said before, they should look to their right, look to their left, then look in the mirror, and the chances are those three people will not be back here after the next election.

2210

They are not doing anything to fight a revolt. They should be embarrassed and they obviously are not. I find it difficult to understand. The CFIB and the people in small business, particularly the retail sector—I mean, think about the retailers—

Interjection.

Mr Mahoney: I am sorry for speaking while the member is interrupting. Where was I? I think I had better start over. What are we on? We are on Bill 1.

Mrs Marland: Have you lost your train of thought?

Mr Mahoney: I have; I have totally lost my train of thought. But I can get it back; do not worry.

Mr Elston: Just circle for a while until you find it.

Mr Mahoney: No problem. I will just sort of move around, just hover. I feel it coming, it is coming back. It is Bill 1.

Hon Mr North: More water?

Mr Mahoney: No, I have plenty, thanks. I have enough.

Interjection.

Mr Mahoney: The member will not stop. Anyway, in all seriousness, I guess what kind of bothers me and the

people I represent in Mississauga West and other people—I note the constituents of my good friend the member for Scarborough-Agincourt feel the same way—is that the Premier and some of those guys came riding in here like they were on some kind of white charger, kicking the boots, spurs—he took his spurs off, anyway.

Hon Mr Kormos: That was no horse; it was a motorcycle.

Mr Mahoney: Oh I know, it is mighty lonely up here in the saddle since my old horse died. Anyway, they came riding in here like they are on some white charger, and the fact is that now the people can see that all they are on is some kind of high horse. I mean, we see the minister is answering our questions about Bill 1. We see the response, pointing their fingers and nodding like they know best.

Well, let me tell those folks, some of those new men and women are going to find, as the halo gets tighter around their perfect socialist heads, that they are going to have more and more difficulty explaining what their Premier and their cabinet are doing to the people of this province, starting with Bill 1.

I think my simple message to the men and women in this Legislature and to the people of this province is that this party is not living up to what it said it would do. They have said they would fight a revolt. They are not doing that. They have climbed into bed with the federal Tory party. They have climbed into bed with the most hated person in this country. They have climbed into bed on top of the most hated tax in this country and they should be ashamed of themselves.

Mrs Marland: It has been very educational to hear the member for Mississauga West speak on behalf of the CFIB. It has been particularly interesting because when they were the government, they in fact did not listen to the CFIB. I feel that, although not representing the government any more but as Liberal party members, it is really incredible for them to say they have to be here to discuss this bill and to be totally discussing this bill in opposition to it, when we know that when it comes to the vote they are going to vote in favour of it. Frankly, although I am not able to say they are misleading the public, they in fact are, because they are suggesting that they are opposed to this bill.

We know that the member for Mississauga West, along with the other members, will be voting in favour of the bill, because the bill is in fact saying we will not put the retail sales tax on top of the GST. The Liberal Party planned to do just the reverse of that when it was the government. When they were the government, they agreed they would put the retail sales tax as a tax on the tax. So it is amazing that here tonight they are prolonging this debate by being opposed to something which they themselves were opposed to at one time and they have done this complete reversal.

I hope that when he talks about those members in the House who are supporting the Prime Minister with the goods and services tax, he is referring to some members for whom I cannot speak, because the position of our

caucus in fact is that the goods and services tax in its present form is not something that we support.

Mr Drainville: What can I say? Hubris, histrionics, hyperbole. We are the recipients of this avalanche of verbiage that we receive from the members opposite.

Let us speak about embarrassment. The member across the way indicates that we should somehow be embarrassed for our position of supporting Bill 1. How can this be the case? Clearly we have gone to the people of Ontario through the election period, and now after the election period, and what do we hear from them? We do not hear that they are saying they support the GST. We do not hear that they are saying we should back off from our bill. Rather, when I go through the communities of my riding, what I hear is exactly the opposite.

The member mentions the small businesses. Indeed they are the engine that drives the economy in Ontario. What are they saying in Victoria-Haliburton? They are saying that they support this action with Bill 1 because it indicates plainly to all people in the province that our commitment is to the people of the province, to fair taxation and an end to the best that we can do to the GST. And they know that in Bill 1 the least we are doing is indicating our abhorrence of any such taxation.

The member opposite says to us that we are in bed with the Tories. I must say, if anyone is in bed with the Tories, it happens to be the very party that he belongs to. If you look at the support behind the Liberal throne, we know in Ottawa that it is Power Corp, the big of the big corporations. And who supports the GST? Indeed, all those large corporations and businesses that have always funded the Liberal Party. The issue is plain. Bill 1 says that we are against the GST and we want to maintain that policy.

Mr White: I am struck with what I have heard from my colleague and from the member for Mississauga—

Mr Mahoney: West.

Mr White: South. Thank you.

Mr Mahoney: She is South; I am West.

Mr White: Other side.

Mr Mahoney: We are in the Legislature and this is Ontario. It must be Tuesday night.

Mr White: Very good, I say to the member. He has got it. Yes, Durham West, Durham East, Durham Centre, right here.

I am really struck, because I was of the understanding throughout the long and rather arduous diatribes of the member for Mississauga West that they were in favour of the GST. After all, that is what their party was doing while in power, piggybacking a tax upon a tax, and to be consistent with their stance in bleeding the people of Ontario, they should come here and surely be voting in favour of the GST and opposing this bill. But the member for Mississauga South says—

Mr Phillips: You are Durham Centre.

Mr White: I thank the member. Well remembered.

The member for Mississauga South says that they are not opposed to it. They have changed their position. All these positions keep changing. The Tories are opposed to

the GST. The Liberals are opposed to the GST or they are in favour of the GST. It all is very confusing, and I am glad that the member for Mississauga South was able to clarify it for us.

I know, though, that throughout the election period and now in this House we have not changed our position. Unlike the members opposite, we do not have to chain ourselves to flagpoles. We have the opportunity to change legislation and we are doing so in favour of the people of Ontario.

2220

Mr Sola: I would like to congratulate my colleague the member for Mississauga West for an excellent speech. At the same time, I would like to comment on a new accord in this House. It seems from the comments of the member for Mississauga South and the comments of the government side that they are together on the GST. Now I understand how come they have changed horses in midstream.

During the election they were opposing the GST. Now, with the help of the Progressive Conservative Party of Ontario, they have decided to ride side-saddle along with the GST and pretend they are fighting it.

So far, every comment that the member for Mississauga South has made has been to attack the positions taken by members of the official opposition in regard to opposing the flip-flop of the government on its so-called revolt against the GST. And now we get in the comments from the government side the member complimenting her on her stand and apparently agreeing to the positions taken by her party. I have to commend the member for Mississauga West for an extremely humorous debate.

An hon member: Diatribe.

Mr Sola: Well, diatribe. If we would compare it to what we had to suffer through for three years, this was very, very mild indeed.

I would like to close on that. I thank the member for Mississauga West for cleaning up the situation.

The Acting Speaker: The member for Mississauga West.

Mr Mahoney: Don't say that like you really don't want me to say anything.

Madam Speaker, I think the first thing we should do in this House is eliminate all this north, south, east and west. You should be number 1 and number 2 and we could all stand up and say, "I am number 100." Maybe that would make it easier, especially at these late evenings.

One of the things the member for Mississauga South does, and she knows it bothers me, is the way she says the word "Liberal." Listen to her. It is like she is not feeling well. It is like the Liberal government. Honest to goodness, I do not know what we ever did to her, but wait until she gets to going socialist and NDP a couple of years from now, guys and girls, men and women. We are going to find it somewhat difficult.

To some of the other members, I say they should understand what the real issue is here. The Minister of Natural Resources would understand that he is in cabinet representing a government that had said it would lead a

revolt. That is the issue. The government is revolting all right, but in the wrong direction. It is not leading any kind of revolt.

What the government is really doing is the very first thing it does when it gets into power. It finally grabs hold of the keys to the washrooms and the kitchen. It gets the key to the kitchen. It gets to know the chef and opens the bar and writes this bill called Bill 1, which says that it is just going to endorse what it told the people of this province—

Hon Mr Kormos: How would you know?

Mr Mahoney: Come on, Cowboy Boots knows it. The government is just endorsing what it told the people of this province it was going to fight. They were going to be their champs. They are now their chumps. Let's face it. They are going to have to explain it to them when they get home.

The Acting Speaker: Further debate. The member for Welland-Thorold.

Hon Mr Kormos: From the heart of the Niagara Peninsula, and here we are. It is 10:25 pm. People who watch this on cable TV often mistake the evening session for a rerun of what happened earlier. They are far more likely to mistake indeed this live telecast for a rerun in terms of what we have been hearing from the opposition members.

Let's not forget what is going on here, please. The Minister of Revenue had the very distinct honour of presenting the first bill of her career as a member of this caucus, as a member of this government, as a member of cabinet, and the first bill of this government, one which is designed and does in fact give effect to long-stated policy of this party here in Ontario, and that is to say it is legislation that guarantees that the retail sales tax does not piggyback on the GST. That is what people like the Minister of Revenue campaigned on in her riding up north. That is what 74 other successful NDP candidates in this province campaigned on during their election campaigns prior to 6 September and that is what the people of this province endorsed when they elected this government at Queen's Park.

Now, I ask members to listen to me. We are here until 10:30 at night and, it was mentioned earlier, to the great inconvenience of a whole lot of staff here at Queen's Park. To them we sincerely apologize for the inconvenience. The fact is that the Liberal opposition had no intention of abiding by standard procedures with the House leader and the Liberal opposition had no intention of debating the issues here at Queen's Park. We have heard it from them for the last four and a half hours, and the people who have been watching their telecasts have been watching it for the last four and a half hours. The House leader has tried to order the bills to be heard. The House leader has been compelled to interrupt—

The Acting Speaker: Mr Kormos, I have pointed out to you on three occasions in the last little while that we are debating Bill 1. I would like you to return to that debate, Bill 1.

Hon Mr Kormos: Madam Speaker, far be it from me to ever deviate from the main course of discussion. Please, give me a break. The fact is that people across Ontario have been more than tolerant with the drivel that they have heard from the Liberal benches during the course of this evening session. The fact is that I am proud of the Minister of Revenue. I am proud of this government's policies. This government is doing with this legislation exactly what it promised to do. And do you know what the most remarkable thing is, Madam Speaker?

Mr Miclash: On a point of order, Madam Speaker: I think this member must get back on to Bill 1. There seems to be a double standard in the Chair. I just hate to admit it. But this gentleman must get back on to his subject, and the Speaker seems to have let him go on to other things. It is Bill 1 that we are discussing. I would suggest that he gets back on to the topic.

Hon Mr Wildman: I would just like to rise in support of my friend the member for Kenora. If he can return to his seat, our member can return to Bill 1.

2230

Hon Mr Kormos: Madam Speaker, dumb as a bag of hammers, ain't he? I cannot for the life of me imagine what the Liberals of this Legislature are trying to tell the people across Ontario who are watching this right now on their TVs.

I am going to be very brief. I am going to say that I support this government and the Minister of Revenue in her presentation of this bill. I support the speedy passage of this legislation because of what it is going to do for taxpayers here in Ontario. I resent the efforts on the part of disenchanted, frustrated, annoyed, clearly angry, clearly crying-in-their-soup Liberals trying to detract from the main issue here, and in the course of that, quite frankly, not impressing anyone. I suspect the one reason these fellows insist on this going so late is that if it were not because of the Legislature sitting late their moms would never let them stay out until this time at night. In that regard, I hope all of them get out of here in time to take public transit home.

But it is an incredible attack on the system for these clowns—I am sorry, Madam Speaker. That is probably inappropriate language. I am glad I caught myself in time. It is incredible that the opposition would be taking this sort of tack when in fact its hold, its participation, its role in this whole assembly is really so tenuous. In fact, what we have seen is the bizarre spectacle of a whole bunch of leadership candidates, any of whom would be quite acceptable to the New Democratic Party in terms of the inadequacies they have displayed. In that regard, Madam Speaker, I retire for the evening.

The Acting Speaker: I appreciate your concern. It is now time for questions and comments.

Mr Sola: It takes an awful lot of gall for the member for Welland-Thorold to give lectures on staying up until 10:30 at night. If anybody has expelled more hot air in this chamber since its inception, it is the member for Welland-Thorold. I think he has done more to debase the level of debate in this House and in committee than any member in

the history of this chamber. This I have to say, because I was on the—

Mr Klopp: On a point of order, Madam Speaker: The member should stick to the discussion, not past history of whatever the honourable member has done years ago.

Mr Sola: These are comments on the member's speech. He never once referred to the bill, so therefore I do not have to refer to the bill.

Mr Drainville: On a point of order, Madam Speaker: There is a difference between the comments on what has been said and the comments on the person. That is ad hominem and totally unacceptable in the House.

Interjections.

Mr Elston: On a point of order, Madam Speaker: Can we have some time on the clock, please?

The Acting Speaker: Yes, I would ask that it be put back a minute.

Mr Sola: Thank you very much, Madam Speaker. It is incumbent upon me to reflect upon the member's previous statements, because he was giving us a lecture on decorum in this House. I do not think it is up to us to take lectures from a person who has used words recorded in Hansard which, if I repeated here, I would be escorted out of the House. Therefore, I do not accept the slap in the face from the member for Victoria-Haliburton, because he was not here and he did not have to endure and did not have to get red in the face for statements made by a member in opposition.

Mr Drainville: On a point of order, Madam Speaker: He is talking about Hansard in the past. We are talking about a debate on Bill 1. Comments were made, and he should talk to the comments and not talk about Hansard in the past. This is totally out of order.

Mr Sola: I would expect that the Speaker would rule me out of order. If that member is the Speaker, I suggest that he get in the chair and rule from there.

Mr Hope: As the honourable member for Welland-Thorold clearly put it, we are trying to discuss a bill here that is of value to the citizens of Ontario. We are trying to have some constructive debate, which we have not heard all night. We have workers in this building who are seeing their tax bracket move up because we are sitting and listening to rhetoric from the opposition. I think it is very important that if we are to debate the issue and the content of this bill we had better stick with it, or else we are talking from two sides of our faces. We have people who are here, upon request of the opposition, to have in-depth debate, constructive criticism, talk about the bill itself. Meanwhile, we are harming people outside this door and around this building, moving up their tax bracket. I think it is very important that we move the debate back.

As I sit here and listen to a lot of the debate taking place today, it kind of makes me feel sad to be here. In the community, we were getting better response on the GST issue and what the government should be doing, instead of listening to a lot of rhetoric coming from across the floor on this whole issue, an important issue to the people of Ontario. We hear about the people they represent who may

not have a Christmas. I sat here and listened to members from the Liberal Party explain how they would not be able to buy gifts for the kids. Believe it or not, we are here to do that. This is an important issue we must pay respect to. This is a bill being introduced that is very important to the people of Ontario. We want to put money into their pockets. What we are seeing is the opposition taking money from people's pockets by prolonging this debate with irrelevant information.

Mrs Y. O'Neill: I had a lot of difficulty with the comments made by the last member. First, I think it is a rule of this House that we do not refer to people by their names, that we always refer to them by their ridings, and there was absolutely no correction of that over and over again. It would have even been acceptable to refer to the minister.

I also find it more than unacceptable that people on one side of the House judge consistently over and over again the motives of people on the other side of the House. We feel very strongly that this bill is of importance in this province, as they seem to, too. We have a different perspective and that is our right to have. To judge why we are saying the things we are saying or how we are saying the things we are saying is certainly a judgement they have no right to make.

The other thing that has to be underlined here for those people who are new is that we often have night sittings. The people who work in this building realize that, and we only do them on occasions when we feel there is a matter of importance. Certainly Bill 1 is a matter of importance.

2240

Mr Perruzza: In my humble and not very extensive experience—the member for Mississauga West is now re-entering the House. I suspect he has drunk his water and eaten the salted nuts. He delivered some salted nuts across the floor, but he did not bring any to this side of the House.

The way I understand debates and what I thought would be coming from this debate is that opposition members would be making constructive, positive amendments to our bill if they disagreed with it. The member has spoken at length about how vehemently opposed he is and how bad this legislation would be. I suspect when we actually vote on this bill, the member opposite, the member who exposed so much hot air in opposition to this bill, will vote against giving Ontario consumers a \$500-million tax break. That is the reality of it: a \$500-million tax break. If he votes against that, his opposition in the next provincial election, certainly his NDP opposition, should take that recorded vote, should take Hansard and distribute it to every resident of Mississauga West, because they deserve to know how he voted on this very important legislation that gives Ontario consumers a \$500-million tax break.

Mr Elston: Madam Speaker, thank you very much for inviting me to participate this evening. I was prepared to start a little while ago, but we got sidetracked; it was like old times. I was listening with interest to the member for Welland-Thorold. As members can understand, I used to listen with interest a long time ago when he used to read out telephone messages with numbers, names and addresses. It was quite elucidating and actually interesting for me

to see him in the House this evening. He came in rather late, but the hours seem to be appropriate; he seems to perform much better at this time of night than at others. He did very well in contributing to the debate—whatever debate he was contributing to, because it certainly was not with respect to Bill 1.

However, I am going to speak to Bill 1. I want the people to understand why we find this bill particularly difficult to accept. The people over there are trying to convince the people in the province that this represents their answer to the revolt on the GST. They are now saying, "This is the best we can do." That is a particularly fine line that has become the weapon in every one of their quivers as they stand shaking in front of the people of Ontario. Each minister in turn stands and says, "It's the best we can do," and that is how they have cast themselves around Bill 1. It is the best they can do to provide their opposition to the federal Tories and their GST. It is not very good.

The principle of this bill is that there will not be a tax on a tax. That is a laudable principle upon which to base legislation like this. It is good as far as it goes, but this bill does not really deal with the principle of not taxing a tax to the best possible degree. There are people sitting just behind the Speaker's chair and under what is reserved for the press gallery who would tell the members that the retail sales tax will still be charged on top of the tire tax. If these interesting individuals across there, the New Democratic government, were being consistent, they would want to let members know they were not going to charge the retail sales tax on top of the tire tax nor on top of the GST nor on top of any other tax.

But what have they done with this Bill 1? They think they can capture the imagination of the people of the province and let them think they have principles which are consistent and—what will we say?—inviolable, because they are saying: "We won't charge a tax on a tax. We won't charge a tax on the GST." But they have sneaked through this piece of legislation the ability to continue to tax the tire tax.

Let them talk about that. Let the new minister—I think one of the group of 11 just named by Chatelaine as women of the year, for which I congratulate her—stand up and explain to the people of Ontario that while she says she is not taxing the GST, she will continue to tax every other tax she can lay her hands on, that in fact the Retail Sales Tax Amendment Act does not do what they are saying is a principle of this bill, which is to remove tax on tax.

Why does the minister not come clean with the people of Ontario? Why do not the people over there stand, each in their turn, to say they are going to move an amendment on second reading that will take the retail sales tax off all taxes if that is a principle of this bill, if that is a principle of that party which has been elected to serve the people of the province and to wield power in a fair and reasonable manner? Well, I believe the new minister probably cannot convince her assistants who are sitting just down here that they should remove the tax on all the taxes that are charged; but maybe she will wish to bring that in. And, Madam Speaker, we wish to inform you that on second reading, or at least after second reading as we deal with the

issue in committee, we will want to discover why the minister will not extend the principle of not taxing the GST to not taxing any other taxes that are charged before the retail sales tax is added. Maybe they will do that, but they have not said that is what they are going to do. There does not seem to be any consistency with respect to not charging tax on tax.

Hon Mrs Gigantes: Liberals are such purists.

Mr Elston: The member for Ottawa Centre has awakened from her perch down there in the front row of the government benches to add but one small comment for all time on the second reading debate.

Actually, while I am at it, I would just like to go through some of the comments that have been made by some of the members over there, as the member for Ottawa Centre has awakened my curiosity as to the debate contributions by the following members.

I have here the pictorial of the new members from the New Democratic Party, and I will use this. Actually, it belongs to the member for Mississauga South. She has been very kind in sharing it with me. But let me talk to members about the contribution of the member for York South on the second reading debate. I checked Hansard before I came in this evening. He did not say anything on this debate. Let's go to the member for Wentworth North. I checked. He did not say anything on this debate. They did not talk, either of those two. If the member for Ottawa Centre invites me, I will go person by person as to their contributions on this debate. They did not talk about the consistency or lack thereof with respect to charging taxes on taxes.

Hon Mrs Gigantes: Purist.

Mr Elston: As I am invited by the member for Ottawa Centre to speak about her members' contributions, the member for St Andrew-St Patrick said nothing on second reading debate on this very important bill.

When you think that this is the first shot, the first arrow pulled from the quiver of political action of this New Democratic Party—they were using a crossbow but longbow arrows—it has fallen dismally short of the mark, and they really are out of step with what they promised the people.

Let's talk about what the member for Hamilton West has said on the second reading debate. I checked in Hansard before I came in this evening. He did not say anything on second reading debate, and this of course is a big, highly principled bill. This is a very important bill.

Just so everybody understands what the role of ministers is, they do not generally speak to how the ministers feel, so what I will do is skip the members who are also ministers and I will examine individually what has been said by the backbench members of the New Democratic caucus with respect to this bill.

I examined the record to find that the member for Cochrane South has not said anything by way of debate. He made a couple of comments—in fact, we found they were really interested in making comments at appropriate times. The member for Hamilton Mountain used to be quite talkative in this House. When I came here in 1981 he

was already ensconced in the back benches of the NDP, the third party at that time. We used to share the odd committee assignment. We used to do some interesting things in committee to the then Tory ministers. The remnant of that party, of course, is now sitting next to me on my left.

2250

Mrs Marland: On a point of privilege, Madam Speaker: I am not a remnant of anything. I am very proud to be the member for Mississauga South, re-elected, I might say, with the highest plurality of any member. The suggestion that I might be a remnant of any former Conservative cabinet is not true, and I would ask the member for Bruce to withdraw his comment, because it is totally inaccurate. I am not a remnant. I have been here since 1985 and I would appreciate him correcting the record.

Mr Elston: I do apologize to the honourable member for Mississauga South. I said, "The remnant of the party that was in power at the time I first came in sits to my left." I am sorry that she took offence, and I wish to withdraw anything that would say she is other than a fixture here in the Legislative Assembly. There is no question about her electability, in my view. She has obviously proven a staying power that is beyond many other members and I congratulate her on that. I thank her for lending me this particular diary of statements by the members of the New Democratic Party.

Let me talk a bit about the member for Hamilton Mountain. Before I was interrupted by or at least caused some problems for the member for Mississauga South, I was talking about the debate contribution by the member for Hamilton Mountain. I checked Hansard and he has not spoken on second reading debate; this is of course an extremely important bill with principles which all of us here believe to be worth while debating. It seems to me, as I said earlier in my remarks in the House on another matter which has caused me no shortage of concern as members noticed this afternoon, these people are really and truly members of the silent majority, the silent, compliant majority. The diligent silence with which they have approached the debate on second reading of this bill has encouraged me to make sure that the people of Ontario are able to examine in detail what Bill 1 says.

Bill 1, although it is not written in clear words and phrases on this piece of paper, is really saying to the people of Ontario: "We give up. We raise our hands in surrender. Brian Mulroney, move over. We're coming to sit on your knee. We'll make sure that we're going to be paralleling our tax with yours because we accept without any concern for the people of Ontario the fact that the GST is for us a fait accompli and, unlike what we said in August and September of this past summer, we are not really going to lead any kind of revolt at all. This is the best we can do." Along the lines of every minister who has had to answer a question in this House to this stage of their mandate, "This is the best we can do" becomes their working phrase. If it is not "This is the best we can do," it is "We will study it."

I was very pleased to hear the Treasurer, the member for Nickel Belt, who was dealing with the remarks of one

of my colleagues—I think it may have been the member for Algoma-Manitoulin, although I am not certain—stand up in this House earlier this evening and say that the Fair Tax Commission which he has established to study tax will actually take a look at the place of retail sales in the province of Ontario. That was encouraging, but it was an admission that he and his colleagues do not really know what to do with this and that this is a shot in the dark that is done more for publicity's sake than it is for any real benefit or effect in the province of Ontario.

I am really concerned about that. I am also concerned about the fact that he did not admit that he would have that Fair Tax Commission look at the problem of this bill not going further and taking the retail sales tax off all taxes. That is a principle which I disagree with. If that is what he is really saying this bill is standing for, he cannot do it for one and remain clear and not do it for others so he had better be sure that he is going to pursue it.

The member for Ottawa Centre has invited me to examine the record of the member for Hamilton Centre and his contribution with respect to second reading debate. I checked Hansard and although he has made some interjections from time to time, which we have found helpful to deviate from the debate of the time, he has not performed in actual debate on this bill. We unfortunately would have liked to have heard more from him, but he has been very diligent again in his silence. We have a whole group of people who I am sure I can add to the list, and as soon as they invite me I will go back to the record of those individuals and their contributions to the debate.

Let me take a look at another part of this bill and the principles upon which it is established and some of the things they are talking about. They have indicated quite clearly, and we agree at least with the assessment by the minister herself and by the Treasurer that some \$500 million will be forgone tax revenue.

Mr Christopherson: On a point of order, Madam Speaker: I understand that I have the right to stand and ask that the record be corrected when something is totally incorrect. In fact, I was the—

The Acting Speaker (Ms Haslam): No. You can only correct your own record.

Hon Mrs Gigantes: I hope you will correct your record because you just said something totally incorrect.

Mr Christopherson: I was the second speaker for our government.

Mr Elston: I apologize for that. I looked at his seat, and in fact he is one of the people who has contributed—not very well, but he did contribute. I am quite pleased that he was able to contribute to the debate.

Let me go on to the member for Victoria-Haliburton, who has from time to time stood in reply but who has never really actually launched his own debate on this matter. He has not debated the issue on second reading.

We might talk about the member for Halton North. Just in case we want to go on, while I apologize to the member for Hamilton Centre, who has made some contribution, the member for Halton North has been unable to speak on second reading of this.

I might also say that the member for Kitchener is unfortunately not able to speak on this bill either, although this is the big item in the fight against the GST. Where were they all?

Let me go on to some of the principles of the bill. I will be invited again at some point during my remarks, I am sure, to speak at length about what the record of some of the other members is on this second reading debate. I am quite prepared, with the assistance of my friend the member for Mississauga South, to go through the record because I now can identify each because their pictures are here with their names and their seats. While I may make a mistake here and there, I am willing to admit it. With the assistance of fine people like the member for Hamilton Centre, I will stand up and apologize if I do make a mistake.

Let me go through some of the other things that are in here. I was talking for a few minutes about the fact that the Minister of Revenue, the member for Port Arthur, admits and has indicated quite clearly, and the Treasurer as well, that \$500 million will be forgone in tax revenue as a result of this paralleling and the refraining from taxing the GST. That is a very fine part of this bill, and it is very laudable.

As members know from the comments of the Treasurer in replying to another speech this evening, he indicated that we had a plan to reduce the retail sales tax by one percentage point if and when the GST came in place and that in fact would have cost roughly \$900 million. In fact, he was quite correct. What he has not said about the principle of this bill is that it goes on much further.

It does not just stop and talk about paralleling the retail sales tax with the GST; it talks about doing some interesting things which none of those people over there would speak. It says, for instance, that they are going to take out of the current legislation and put a clause in that will allow the minister on her own whim to make regulations to deal with a whole group of things like the remission of tax or rebating tax paid on tangible personal property purchased in Ontario by people who live outside. She will be able, through regulation, to remit taxes paid for transient accommodation by a person not resident in Ontario. It is an interesting principle of the bill that they are taking out of the legislation and moving to a discretionary authority by this minister allowing her, through regulation, to make legislative change on the amount of tax to be rebated.

I wonder how many of those people over there, while they are lauding this GST nontaxability issue, have forgotten to check about a return of that government to an age-old pattern of governing by regulation without reference to the Legislative Assembly of Ontario. How many of the members opposite know that they have given a minister of the crown sole discretion to pass regulations to decide at what rate, when and how they will rebate those two particular taxes? How many of the members opposite realize that the principle of this bill is that their minister is going to be the sole arbiter to set the rate at which those taxes will be rebated? How many of those people realize that the principle of this bill is really for a diminution of the authority of the Legislative Assembly and putting it into the bosom of the executive council of this place?

2300

The member for Sudbury East, who is not in her seat, is chattering away about what she thinks is a change of habit. I listened for a long time to the member for Welland-Thorold and his colleagues and the colleagues of the member for Sudbury East talk about regulations which were to be put together in some of the legislation for which I was responsible at another time. They were quite consistent in saying that the minister ought not be allowed discretion, and yet here are those members—with the principle of this bill being the accountability of the members in this Legislative Assembly to the electorate—removing the authority of the Legislative Assembly and putting it into the executive council of this province again.

Is that not an interesting change of attitude? Did the members know that this was what was happening? By the way, they said this bill is a great giveaway to the people of the province—"We are not going to take \$500 million," they say; those are their estimates, and I will agree with them for now. But did they also know that through this bill, their Ministry of Revenue not only will be allowed to go back three years but will be able to go back four years to harass the people who—their minister might say—have not paid enough money through retail sales? Did they know that they were limited to a three-year backwards movement to assess what tax was due? Did they know that they now, through the principle of this bill, have allowed their ministry officials to go four years? Did they know that will allow them to do more to collect more money from more people in this province?

Did they know that they will be able to harass the small business people for four years now about accounts that were dealt with four years ago instead of three years ago? Is that not the principle of this bill? Is it not the principle of this bill that this is an extension of the authority of the minister of retail sales taxes to go back into the pockets of small businessmen and women in this province to take out what money they can extract at what price we do not know yet? And have we heard any of those members over there stand up on second reading of this and say: "I want to tell you a principle of this bill is to allow the Ministry of Revenue deeper into the pockets of small businessmen and women of this province so they can extract more money for the insatiable palate of the Treasury and of the Minister of Revenue of this particular province?"

Interjections.

Mr Elston: I seem to have hit a sensitive chord. Are the members really that sensitive, because they have not read that they can go back four years to bother the small businessmen and women of this province? Have they understood that this is what this does, what they give with one hand they are in fact taking with both the hands of newly hired people who are going to be out there going back four years instead of three? Did they know that was in there?

I cannot tell the members enough about the principles upon which they have said this bill is based.

An hon member: Principle? You are the last person in the world to talk about principle.

Mr Elston: The member for Welland-Thorold, who also does not appear to be in his seat, is a very interesting participant in this debate.

The Speaker: The member for Welland-Thorold, who likes to add his assistance to those who are speaking, would have a better opportunity to do that if he were seated where he belongs.

Mr Elston: Thank you, Mr Speaker. I am glad to take a little bit of a breather there, and I appreciate your assistance in allowing me to think about some of the principles of this.

I spoke about the fact that the Minister of Revenue will be able, through regulation, to take some action with respect to rebating taxes. Members would probably also like to know with respect to the tire tax that the Minister of Revenue is also taking provisions out of the bill itself and putting it into regulation.

Mr Hope: Who put the tire tax on?

Mr Elston: We put the tire tax on. The member for Chatham-Kent wants to talk about who put the taxes on. We put it on. But I can tell the member that when we put it on it was clearly in legislation. What the Minister of Revenue now can do through regulations is apportion what she decides is the amount to be applied on account of tire tax and other things to various people who do the following; that is, apportionment of the tire tax payable under subsection 2b(1) of the act among all purchasers who lease for a period of less than 30 days. In other words, what it allows people to do is spread the tire tax among several people who lease the same vehicle. Did the members know that the minister can do it by regulation, that she does not have to come here and set up the formula?

Hon Mr Kormos: Stick to Bill 1.

Mr Elston: The Minister of Financial Institutions says we should be dealing with Bill 1. Well, this is Bill 1. He has not read the thing. In fact, I can tell members that his contribution here did not talk about the bill at all but about some of his positions with respect to some of the other members' contributions. That is fine; he can do that. But he should not be telling us what we should say about the provisions of the bill. This is in the bill; it is in the bill. I talked about that.

Mr Dadamo: Get to the point.

Mr Elston: They want to know what the point is. Well, it is a real change in philosophy to have this group of people taking provisions out of legislation and removing them to the discretion of a minister of the crown. They always argued, in other days, that the minister of the crown should lose the discretion or at least be pinned down in the legislative provisions rather than going by regulation. Well, they are not doing it. They are doing something different once again. That is a principle of this bill. Partly, I can understand that. I can understand it particularly with revision, and I did not raise this provision earlier, because I can understand there is a certain need for flexibility for the Minister of Revenue to be able to create regulations upon which to base the retail sales tax and its paralleling with the goods and services tax.

Once you get over the problem of admitting that the goods and services tax will be a tax and that you have given up the fight to prevent it from coming into play, the Minister of Revenue should have the ability to do certain things through regulation to make sure that you do the paralleling of that particular bill with the GST. I have no real problem with that, and I did not raise it, but it does stand out as an interesting situation that confirms that this government will not be a government by legislation but will be a government by regulation, by discretion of ministers who will remain unaccountable to the people of the province through the Legislative Assembly. That is an interesting departure, but it is understandable for this group of people.

Interjections.

Mr Elston: These people are yapping away at me, and I suspect that they are probably not feeling very happy about the fact that they believe the only principle was that the GST would not be taxed by the Retail Sales Tax Act. That is not true. In fact, it will require these people to do certain other things which will allow them to go deeper into the pockets of small businessmen and small businesswomen in this province.

It is very interesting to hear those people over there, because they did not really know what was in here. They keep talking about the GST, and that is fine, that is in here, it is clear. But these other principles also are here. How many members like the idea that their ministers will never even really have to come to them for approval on what they do by regulation? I find that a little interesting. Maybe the members over there will too, now that I have brought it to your attention.

I have some other interesting things. What they are doing here as well is trying to indicate that they have some sensitivity with respect to the amount of money they will pay the retailers for collecting retail sales tax. That is fine. It will take place in due course if they will increase the amounts that would be paid to them, and there were some indications that would have been done by the other government as well because there is an awful lot of paper-work involved. But those people have not talked to the principle of having those individuals deal with the paper-work surrounding the GST, the retail sales tax and other items.

For instance, if the GST ends up being a hidden tax—ie, \$19.95 GST included—that will cause a really interesting hardship for the men and women who are in business in the province of Ontario in terms of calculation. I was happy to hear the member for Mississauga West bring that up during his discussions. That was not raised before. The principles of fairness and equity in taxes, which is the subject matter of the commission which the Treasurer is establishing, should look at what has been done through this bill, because the fairness in this is not there at all.

I have lots of other things I could talk about. Actually, I have been invited by several members over on the other side to go ahead, and I think probably I will.

There is a whole group of sections that are described only as housekeeping items, and, in fact, one of the inter-

esting things about this Retail Sales Tax Amendment Act is that some of these points were raised by the previous Minister of Revenue and had been considered for some time. What the new party in power, the New Democrats have done, interestingly, is they have grafted the GST item on the side and made it look as if this is a substantial bill when they really have not contributed that much to it, but they sold their new members on this piece of legislation by saying it dealt only with the GST and the Retail Sales Tax Act. But it did not. They did not lead them to believe that there were any other issues to which they should pay attention.

2310

There is a whole bunch of other things in here that talk about the liability of corporations for not remitting tax. It talks about the setting of interest rates by the minister herself on a compound basis for unpaid taxes. It also says that the minister can make regulations that will tell how much money she will pay, on a compound basis again, for overpayment of tax, except it can leave a business person in the lurch for up to four years because he or she will have to keep the records that much longer because the retail sales tax department can go back that far.

I think something is happening. I think what they are doing is setting it up so that when they require business people in this province to keep their records that much longer on the goods and services that they purchase, they are trying to establish the basis on which this government, in its mandate because that seems to be a favourite phrase, within its mandate will be able to expand the base upon which the retail sales tax is situated.

We made it very clear as a government that when the GST came in, and when there was a request from the federal government to join with it in a tax on the same areas of goods and services, we would not pursue an expansion of that. Well, the basis is being laid by way of the keeping of records, the requirement for the keeping of records on specifics of goods and services, tax remitted and otherwise to the feds, for the expansion of the retail sales tax to those very same areas.

There are some very unusual and difficult things to accept about the goods and services tax and I know that a good number of those people over there, in fact probably most of them, if not all, share our concern about the expansion of the goods and services tax to the new areas that the federal government has tried to exploit.

There is the cost being added to the men and women who wish to have music lessons for their kids, the cost of going to have your hair styled, Mr Speaker, and you are neatly coiffed this evening; I think we should get the name of your stylist.

Mr Mahoney: He puts it in a microwave.

Mr Elston: Mr Speaker, I will have you know that your microwave looks fine to me. With the help of the member for Mississauga West, who has taken me off my remarks, he no doubt has noted that you have not yet had to pay GST for your hairstyling, but after 1 January, if that tax comes into play, you will have to pay that and that is what some of us take as a bit of an assault by the federal

government into the area of taking more money from the pockets of men and women in this province.

The record-keeping and some of the other things that are required by this bill will allow this government at some future date to expand the basis upon which retail sales tax is levied. We have not heard from the minister or from the Treasurer or others a firm commitment that they will never, within their mandate, expand the retail sales tax base for this province.

What happens, for instance, if the commission set up by the Treasurer comes back and says, "We don't think it is fair that the retail sales tax is only charged on a small portion of the items which the GST is charged on. You should make sure. If you are going to have a parallel tax, then you should parallel the taxes fully."

Hon Mrs Gigantes: Purist.

Mr Elston: Will this government have the staying power to say—this bill allows them to have all the records available—"No, we won't expand that," particularly when we know about the insatiable nature of the spending of this new government. They need the money and anything that looks like easy pickings will probably fall prey to this particular organization. This bill would allow that.

Hon Mrs Gigantes: It's heavy going when you are talking.

Mr Elston: While we have spoken at length—I apologize for going on a little longer, but I was encouraged by the member for Ottawa Centre who, from time to time, pops up for air and wishes me to speak a little bit more about the contribution of her members to the debate—we have some real concerns that this lays the basis for other tax grabs that these people will require. We know they like to spend their money. We know that Bill 11 allows them to do that. We know, actually, that Bill 1 does a number of other things, which is to protect people who collect information.

For instance, did members know that under this bill it is a principle that the Ministry of Revenue officials can share information about who is paying what tax, when and how much with the people who are in the Treasury? There does not seem to be any indication in here that this Bill is going to be subject to the usual discreet conveyance of information about personal—I am getting instructions from the Speaker, I think. I will carry on here in a minute.

They have not said anything about whether or not they will specifically comply with the provisions of the Freedom of Information and Protection of Privacy Act. It would go unwritten, but in this day and age it would seem to me that provision ought to have been assured that this would have applied. I know it would, but it is not spelled out here. But it does spell out the protection of individual members of the Ministry of Revenue staff if they happen to divulge information to the Treasury about who is paying tax and how much.

Did members know that they can go ahead and tell anybody, under the provision of section 8, which under this bill amends section 15 of the Act? It shall be amended to say, "No person employed by the government of Ontario shall be required, in connection with any legal

proceedings, (a) to give evidence" or otherwise, but it goes on to say that they can use and provide the information to other government agencies. While it says, "Except as authorized...no person employed by the government shall, (a) knowingly communicate or knowingly allow to be communicated to any person any information obtained by or on behalf of the minister," then it says that they can talk to each other in the government departments. Generally, you are not supposed to communicate information collected by government by one department for the purpose of another department at all without getting the written consent of the individuals about whom that information is collected.

I know that is probably a bit of an oversight and there will be an explanation, I am sure, when we are dealing with committee work on this as to how that is going to fit together, but the principle of that section ought to be explored a little bit more fully.

I just brought it to the attention of yourself, Mr Speaker, so that you could let the government know we would be interested in their remarks on that. I just wanted to raised these extra issues because I thought it was important that while the people on the other side of the House have stood up on each occasion to indicate about the \$500-million give-back, so to speak, or \$500 million in forgone revenue, they forgot to speak about the other items which allow their Ministry of Revenue officials to much more efficiently and easily grab tax money from men and women in this province who are in business.

That is serious. It is understandable because everybody wants to be more efficient. In fact, sometimes when the auditor makes reports about the Ministry of Revenue, he will say or through the writings of his staff will say that we are not collecting enough money in the province, that some people are getting off without paying enough money to the government through their tax remittances.

But those members, when they stood up and said what a tax giveaway this is, forgot to acknowledge to the people of the province that this allows a more efficient harvest than ever before. In fact, it allows the harvest to be taken back more years from the date of the passage of this than ever before. Maybe that is a concern, or maybe it ought to be a concern of those people when they think about how much money they are giving away and how much more quickly they will be able to go back and collect what they lost.

It is a principle of this bill that there is more efficient tax harvesting. An efficient harvest means better funding for many social programs. I, like those members, understand that, but they should not feed us the bunk that is only giving money away, because it is helping a very efficient and good group of people in the Ministry of Revenue to become even better.

There are bigger fines if you do not keep your records up. If you have men and women who have been in business—I know the member for Elgin has been in business and probably has remitted retail sales tax from time to time, although I understand a renovation business would not be purely retail. He will have remitted tax. He will understand the nature of having to be required to keep his

records for an extra four years and be subject to an audit over four years. It is a difficult thing to do. I know that he will be representing his ministry's interests to the Minister of Revenue about the lengthening of the keeping of records for the tourist industry. All of those things are important.

2320

This is a tax bill. This allows a more efficient harvest of tax money. It allows a widening of the scope to collect tax money. By the way, the high-profile item, the item which all of them have been selling us on all these days that we have been debating it, is in fact that \$500 million will be forgone revenue. Do members know what? That is correct, but only if the people of this province are able to purchase at the rate they are now purchasing, because all of the speculation about the amount of tax revenue lost is based on estimates made some time ago.

There is a concern on my part that while these people think they are giving real money away and are putting money into the pockets of the people—I do not disagree with that totally—they have overestimated, because of the radical downturn in our economy, the amount of dollars that the Ministry of Revenue will forgo.

That is an important problem for the people of this province to understand. If I am unemployed, I am not going to be buying as much. If I cannot pay the mortgage on my house, I am not going to be buying as much. If I am not running a farm that is profitable, I am not going to be buying as much. If I cannot find assistance to get back into meaningful play in the economy of this province, I am not going to be buying. The \$500 million, although still forgone revenue, quickly turns out to be very unreal in its size and expectations.

There is no question in my mind that the intentions are good. Our intentions were likewise good when we decided that there should be a decrease by one percentage point in the Retail Sales Tax Act. It would have applied to all of the things that people would be purchasing and we would have gone from 8% to 7%.

It was made on a case of real concern with respect to the ability of people to buy, but it recognized the fact that the GST will take away the purchasing power of individuals, just as the federal government has recognized that. When they talk about this fair tax there are none of us in this House—I am glad that the member for Mississauga South straightened us out on more than one occasion about her party, with the indication that they do not think the GST is a fair tax in the manner it is cast.

The federal government has indicated that it is not fair either, by ensuring that there will be rebates to particular people in this province. How in the world can a government bring a new tax in and then say, "It is fair tax, but by the way, in case it is not, we are going to give money back to people by way of rebate cheques," which will probably bear the smiling signature of the Tory Minister of National Revenue? How fair can that tax be? It cannot have started out being fair. It cannot have started out being anywhere close to being fair.

What happens in this bill? The government has decided that it will parallel that unfair federal tax, not that it

believes in the federal tax, but it has decided it will parallel an unfair tax with what then, equally, must be an unfair tax. That is the principle of this bill and I do not think it is the right thing to do. It is particularly not right when that party has canvassed and campaigned at the doors of the people of the province on the basis that it will resist the passing of the GST, that there will be a tax revolt. This is all there is.

But what revolts us all the more is that while the government has shown the GST as part of the bill and is paralleling the GST, it does not tell the people that this is a tax harvesting bill thinly disguised with words about the GST. That is a problem with the principle of this bill.

I thank members for being attentive and allowing me to speak on this issue and the issues associated with this. I could talk a little bit more about some of the other, more philosophical differences I have with those people, but I can tell you, Mr Speaker, that they should answer the questions I have raised.

The Speaker: Questions or comments?

Mr Christopherson: I was greatly disappointed in the speech from the member for Bruce. I came in here with a fairly clear recognition of what I thought was a very well deserved, honourable reputation and I was disappointed that at the point where some dishonour crept into his speech, the opportunity to correct it was not taken as straightforwardly as I might have expected. I was also surprised that it would take place in the first instance.

I am referring to the fact that the member talked about who had spoken on this issue at second reading and who had not. It does not bother me personally. I have a very thick hide. I have been in politics a long time. The fact that he did not do his homework is what disappointed me. Clearly he did not plan an awful lot of what that speech was about because what he talked about was nothing that would require any research. Other than talking about the half a billion dollars that is our major part of Bill 1, what was talked about was everything that was in Bill 158, which was a Liberal bill. All the horrible things that the member suggested were motivated by our Minister of Revenue were actually the remnants of Bill 158 after we had a chance to fix it.

The opposition has constantly talked about the fact, has tried to defend the fact that small business is being hurt in this bill. The reality is that what we left in place was the \$22 million for vendor compensation. We are not going to fight the GST on the backs of small business as the Liberals would have us do. We will provide the kind of national leadership that should be in place. If more Liberal governments in this country followed the lead of this NDP government, we might win that fight.

Mr Sutherland: I want to take this opportunity to congratulate the member for Bruce because he is one of the few people of his party who actually spent his entire speech talking about the actual bill and the content of the bill. So I compliment him for that.

Hon Miss Martel: I want to make three points with respect to the comments made by the member for Bruce, and the first is this: He talked about what his government,

if it were indeed the government, would have done; that is, it would have lowered the retail sales tax from 8% to 7%. I remind all members in this House that it was his government, when they were in government, that increased that rate from 7% to 8%. So it is pretty hard to come in here and talk about taking away something they imposed upon the taxpayers of this province.

Second, he talked about how little impact \$500 million in savings in this bill would mean to people who did not have jobs. I would remind all the members again that it was his former Premier who did nothing to stop the free trade deal, even though he campaigned all over Ontario with respect to that in 1987. He went down to Windsor and said to all the good people that there would be no deal unless six conditions were met, got back into the House and totally collapsed, did nothing, did not even have the decency to move a bill or anything in this House to try to fight that. He did not make any constitutional motion or anything in court and did nothing in this House to try to stop that. So the member has a lot of nerve talking about jobs and who has flip-flopped on these things.

Finally, I want to say one more thing about what this debate is really about, because I am really incensed for this member to talk about the contributions and say who did not say what.

The contributions by the Liberal members, as the people in here should know and the public should know, are only because there are so many of them trying to run for the Liberal leadership that they are crawling all over each other to try to get some points on the record. These people do not care about trying to save the taxpayers \$500 million. They do not care about voting for this bill, which is something they should be doing. They are going to come in here tomorrow and vote for it, even though they have been here for the last four days speaking about it, around it and against it. I call that the height of hypocrisy.

The real point is that these people are not interested in dealing with this bill; it is only to get so many on so they can all have something to say during the leadership, and that is what this has been all about.

Mr Chiarelli: I want to compliment several people. I want to compliment the member for Bruce who addressed Bill 1.

Hon Mr Wildman: All of the potential candidates.

Mr Chiarelli: No, I am not a candidate for the leadership. I did spend one and a half hours on my feet before. I want to compliment the member for Bruce for a very good debate on Bill 1. He addressed the sections. He addressed the implications of the bill. I watched as people across were listening. They were listening to what the member for Bruce was saying.

I also want to refer to the member for Hamilton Centre. The member for Hamilton Centre spoke very well in commenting on the member for Bruce, and there was the member for Sudbury East.

Bill 1 is an important bill and the debate is a good debate, and that is why we are here. They wanted to debate it for an hour and a half, they wanted to sweep it under the carpet, but if we look at the debate tonight, the people of

Ontario want that dialogue, they want that debate, and I think from this side, speaking personally on important revenue legislation, we are going to continue to debate it when debate is necessary.

2330

Mr Mahoney: I would like first of all to thank the government House leader for launching my leadership campaign. I appreciate those comments a great deal.

Hon Miss Martel: You'll not get a cheque from me.

Mr Mahoney: But in all seriousness I find it interesting to hear the somewhat histrionic criticism of the member for Sudbury East, I believe it is.

Hon Miss Martel: I didn't speak; Murray did. You are supposed to speak to his comments.

Mr Mahoney: The member was speaking to his comments, but she was all over the map on this thing. In fact, she was even talking about the sales tax increase. What she did not mention was what our government did. We increased spending for capital for schools from \$72 million a year the year we came in—

An hon member: Baloney.

Mr Mahoney: It is not baloney—to \$300 million a year, \$1.5 billion. What does the minister do? She comes in here and she introduces this bill and then she has the gall to say—in her campaign she did not—

Interjection.

Mr Mahoney: Margaret, be quiet for a minute.

She did not go to the people of her riding, of her constituency, and tell them that she was going to do this. She told them she was going to lead a revolt. Every single member of the government, led by the Premier, said they were going to fight the GST, they were going to fight Mulroney, they were going to stop this unfair taxation. What does she do? She gets into this position where all of a sudden, as I said before, she has the keys to the kitchen and she brings in a bill that is just unbelievable. She just saddles right up, and then she can get up and give great demonstrations.

I am impressed. As a matter of fact, I think the minister should be the leader of the NDP, not the member for York South. As far as Power Corp is concerned, remember, the Premier's brother works for those guys. That is who works for those guys. So if they are pulling the strings, she should talk to her Premier.

Mr Elston: The honourable member for Hamilton Centre actually did not spend much time listening to this. Bill 1, their bill, includes all of those old pieces of Bill 158. He is right, they are in there, but I want him to be very clear when he talks to all of his people that when they give money back through the GST paralleling and non-taxing on top of the GST, he also tells the people that this bill is a tax-harvesting bill. That is what was there. It was designed to make it more efficient for the Ministry of Revenue to get its money. They are going to get it and they are disguising it with this GST thing. But they will take a lot more money from those business people.

Why are they giving a little bit of extra money to the retailers of this province and people who remit tax? It is

because they are going to make them keep records longer. It is going to mean that they are going to be subjected to a longer time period in which the Ministry of Revenue can visit to extract more money. While the minister, who is part of the group of 11 who are women of the year in *Chatelaine* magazine, wants to be known for the fact that this government is giving \$500 million to men and women in this province, she should also understand that she should be known for putting a system in place that is a more efficient and effective means of harvesting tax dollars.

Why? Because the Ministry of Revenue thinks it can get more money from the people of this province by being more thorough and by giving itself an extra year in which to go back over the records. We should understand that. I only want to point that out in this part of the debate so that everybody knows that those things are there.

I pointed out again that the tire tax is going to have retail sales tax charged on top of it. That is inconsistent with the principle that they have been speaking about, and I merely wanted to make it very clear that in fact if they do not want taxes on taxes they should amend the sections appropriately.

I have been pleased to hear the final shots by the member for Sudbury East, and while they are very helpful, they were not on this bill at all. But I accept that she wishes to make it clear that she does like my speaking on the bill.

Hon Ms Wark-Martyn: I have listened with interest to the debate on Bill 1. Perhaps it is not surprising that many members rose to speak on this tax bill, because it contains part of the government's response to the federal goods and services tax and, as we all know, GST is an emotionally charged subject not only for members but for the business people and the consumers of Ontario.

Much was made by members opposite of what they see as implicit support for GST in Bill 1. Nothing could be farther from the truth. Apart from reversing the previous Liberal government's decision to piggyback RST on top of GST, Bill 1 is drafted to accomplish three specific objectives with GST looming ever larger on the horizon: first, to reduce unnecessary confusion and disruption to vendors and consumers if and when GST becomes a reality; second, to ensure that retail sales tax revenues are not unduly affected by differences in the administrative powers of the two taxes; and, third, to recognize the extra cost faced by vendors as a result of GST by increasing vendor compensation from a maximum of \$1,000 a year to a new maximum of \$1,500 a year.

Moving on to specific criticisms made by some members opposite, the member for Ottawa-Rideau and the member for Halton Centre were both concerned by section 3 of the bill which deletes from the act the tourist rebate program known as Ontario—Incredible. Subsection 15(2) of the bill gives the authority to prescribe the rebate by regulation.

As explained in my opening remarks, the government's intention is to change the Ontario—Incredible time limits for claiming a rebate and for the minimum amount of claim so they coincide with a similar GST tourist refund program. In this manner, less confusion about the rules

will arise in the minds of tourists. My staff is consulting with federal excise staff on other ways in which claims can be made easier for tourists. We feel this will be an excellent way to encourage tourism in Ontario.

The member for Ottawa-Rideau and the member for Mississauga West seem to think that section 5 of the bill repeals a long-standing exemption from retail sales tax for production machinery. This is not so. The detailed definition of items qualifying for the RST exemption is presently contained in the federal Excise Tax Act. The federal GST bill will repeal the definition. Section 5 of Bill 1 permits me to re-establish the required definitions by regulation.

The member for Halton Centre and the member for Ottawa-Rideau also complained about legislation by regulation instead of coming to the House. In the case of section 5 of the bill, relating to the production machinery exemptions, the definitions required amount to several pages. It therefore makes sense to place the definitions in the regulations where minor changes can be achieved relatively quickly rather than taking up the valuable time of the Legislature on minor changes.

Subsection 15(2) of the bill permits regulations on the Ontario—Incredible program. This allows greater flexibility and a faster response to our tourists if the federal GST rebate rules change. I should point out that the GST bill permits changes to tourist rebate rules by federal regulation.

The member for Ottawa-Rideau suggested that Ontario's failure to broaden its base to that of GST was only giving Quebec a competitive advantage. Quebec consumers will be paying 7.56% more for taxable services than Ontario consumers. Using the member's own argument, because of Bill 1 Ontario has a competitive advantage.

Several members opposite mentioned communications with the public and with vendors in the face of GST. So far, GST communication measures by the ministry have included a special notice with vendor return cards distributed to over 350,000 businesses in October, two press releases and seminars for small business and trade associations.

In future, the ministry plans daily, weekly and ethnic newspaper advertisements on Bill 1, two information bulletins on GST, revisions to 55 sales tax guides on GST issues and a constituency office fact sheet for MPPs and MPs. Most of these measures are already complete and await royal assent to the GST bill before costs are incurred.

2340

The member for Etobicoke West offered his views on the tire tax and the commercial concentration tax. I know that the Treasurer, the member for Nickel Belt, will be interested in his views of these two Liberal taxes in his preparation for the 1991 budget.

I would like to thank the members opposite for their comments on this bill. I realize that this has been the first bill debate for many of us, and it has been very enlightening. I would like to also give special thanks to my colleagues on this side of the House for their support during the debate.

In closing, Bill 1 demonstrates three things: First, it demonstrates our commitment to fulfil our campaign pledges. We said before the election that the GST was the wrong tax on the wrong people at the wrong time. We promised that, unlike the Liberals, we would not stack the retail sales tax on top of the GST. This bill fulfils that promise and, along with our court challenge, shows that this government will do everything it can to prevent this unfair tax from punishing the people of Ontario.

Second, this bill shows the people of Ontario that this government is committed to acting quickly, as this was our first bill. We are aware of the unfair tax burden on the people of Ontario and we are moving quickly to protect them.

Finally, this bill shows our commitment to real tax fairness. Our Fair Tax Commission will undoubtedly make other recommendations for tax reform and we will follow up on proposals that will make our tax system more fair. However, we are determined to make a start on tax reform and we are taking action with this government's very first piece of legislation. The decision to not stack the retail sales tax on the GST is only the first step to a fairer tax system. There will be more, but this bill deserves the support of all members of this Legislature for the people of Ontario.

The Speaker: Miss Wark-Martyn has moved second reading of Bill 1. Is it the pleasure of the House that the motion carry?

All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion the ayes have it.

Mrs Marland: What is this?

Mr Elston: This is not supposed to happen.

The Speaker: Call in the members.

Hon Miss Martel: On a point of order, Mr Speaker: If I might explain to people, this is not supposed to happen. The vote is not going to take place until tomorrow. However—

Mr Elston: Not even this vote was supposed to take place.

Hon Miss Martel: This is the vote I am talking about. However—

The Speaker: Can we have one point of order at a time? We will start with the government House leader.

Hon Miss Martel: The vote on this bill will not take place until tomorrow. However, under the standing orders the bells do have to ring. We will put a deferral motion, as it is already prepared by the government whip, and we will move it until tomorrow.

Interjections.

The Speaker: To the government House leader, first of all, the Speaker is not aware of any agreements made among House leaders. We follow the normal procedure, and the procedure calls for ayes and nays and subsequently a bell. Before you can decide whether to hold a vote at another time, the bells must ring. That is quite clear.

Mrs Marland: On a point of order, Mr Speaker: Obviously I am here without my own House leader, but there

was no question that there was an agreement that there would be no vote taken tonight. In fairness to the minister, if, when she finished her speech two minutes ago, she was not aware that she was to adjourn the debate, then let's correct that error. Let's not get into taking a vote for which there was an agreement that no vote would take place. I would respectfully suggest that it is quite in order for us to revert—

Mr Elston: It's a voice vote.

Mrs Marland: Excuse me. It is quite in order for us to revert to the minister with a consensus of the House. You certainly would have agreement from all three parties that we could revert to the minister. She can finish her speech and move adjournment of the debate. That is the procedure that we should be in at this point, at 15 minutes before midnight. I respectfully would ask—

The Speaker: We have advanced along the path of a proper procedure. At this point, the bells will ring. The moment that the Speaker is—

Hon Miss Martel: Mr Speaker, if I might, I will try to clarify this. If we have to pull back, I will do that, but I do not like being accused of breaking an agreement so I really would like just a minute to explain what is happening and perhaps that will settle people down.

I was not given any indication that in fact we would not be having either a standing vote or a voice vote and I had assumed all the way along, and I might be incorrect on this, that we would have a standing vote on this tomorrow. We had a deferral motion prepared and when the bells were to ring we were going to put that motion in and hold off the vote until tomorrow after routine proceedings. I had no—

Mr Elston: We haven't got any members here.

Hon Miss Martel: No, we are not going to have a vote tonight. Those are the points I am trying to—

Mr Elston: There is a vote. A voice vote was just held.

Hon Miss Martel: My apologies, Mr Speaker, but I was not under any impression that there would be a problem to move to this. I have not done this purposely. We assumed there would be a vote taken tomorrow when all the members were back, and we had a deferral motion ready so that there would not be a vote taken here at all this evening in terms of a standing vote.

If I am not correct about that, my apologies, but I certainly did not mean to break any agreement because I was not aware that there was not supposed to be a standing vote. I assumed there was.

Mrs Marland: In the proceedings of the House, if we are going to take a voice vote and there are dissenters to that voice vote, then the only way that can be recorded is by those of us who are present standing in our place and asking. That automatically then becomes a recorded vote.

What I am saying to you, with respect, is that in the normal proceedings, at this point, if the minister by error did not move adjournment of the debate, which I think is clearly what has happened now, if we were to revert to the normal proceedings, then my caucus would have an opportunity to have a closing comment before any vote is taken on this bill,

but by proceeding even to a voice vote, my caucus is disfranchised.

It is clear that there was an agreement, Mr Speaker. Obviously I do not expect you to be aware of the agreements between the House leaders because that is not part of your role, but certainly everyone knew and everyone has known all evening why I have represented our caucus and why my caucus is not here. So I think in fairness, not to violate the privileges of my other 19 members, we would ask you to revert to the Minister of Revenue after completing her speech to move adjournment of the debate, and then we do not have a voice vote that necessitates a standing in our place.

The Speaker: All members may be aware that, first of all, it is normal procedure that if there are no other members to participate in the debate, then closing remarks are allowed for the minister who is carrying the bill or any other minister in the House. That terminates debate.

Debate on Bill 1 has been terminated. We have now started into voting procedure. Part of the voting procedure allows for the bells to ring and while they are ringing, if the government whip presents the Speaker with a letter asking for deferral, then the vote will be deferred until the next day. Of course, I have to wait for a letter.

Mr Mahoney: Could I ask for unanimous consent of the House to revert to the Minister of Revenue to request her to put a motion to adjourn the debate?

Hon Mr Wildman: On a point of order, Mr Speaker—

The Speaker: We will deal with one at a time.

Hon Mr Wildman: I was just going to comment on that. I think that by unanimous consent this House can do just about anything. We appreciate the comment by my friend across the way and we would certainly welcome unanimous consent of all three parties to revert to the minister so that we can resolve this muddle.

The Speaker: A motion asking for unanimous consent on a particular course of action at debate has been completed.

Mr Mahoney: I am not quite sure what you are looking for, Mr Speaker.

The Speaker: You had proposed wording for unanimous consent.

Mr Mahoney: I was seeking unanimous consent to request that we revert to the Minister of Revenue.

The Speaker: Agreed?

Agreed to.

Hon Miss Martel: I would agree with that, but may I also put on the record for all the members that I was not doing this in order to subvert the process in any way, shape or form. I was under the impression that there would be a vote; it had never been clarified whether it was a voice or standing vote. So at this point in time I apologize. I was certainly not doing anything to try to subvert that or disenfranchise or underenfranchise anyone. My apologies for that. I will ask the minister to proceed then to withdraw.

On motion by Ms Wark-Martyn, the debate was adjourned.

The House adjourned at 2352.

ERRATUM

No.	Page	Column	Line	Should read:
66	2453	2	42	make themselves available to victims' groups and to individual vic-

ALPHABETICAL LIST OF MEMBERS

(130 seats)

First Session, 35th Parliament

Lieutenant Governor: Hon Lincoln M. Alexander, PC, QC

Name of member	Constituency	Party	Other responsibilities
Abel, Donald	Wentworth North	NDP	
Akande, Hon Zanana L.	St Andrew-St Patrick	NDP	Minister of Community and Social Services
Allen, Hon Richard	Hamilton West	NDP	Minister of Colleges and Universities, Minister of Skills Development
Arnott, Ted	Wellington	PC	
Beer, Charles	York North	Lib	
Bisson, Gilles	Cochrane South	NDP	Parliamentary assistant to the Minister of Mines, parliamentary assistant to the Minister of Northern Development
Boyd, Hon Marion	London Centre	NDP	Minister of Education
Bradley, James J.	St Catharines	Lib	
Brown, Michael A.	Algoma-Manitoulin	Lib	
Buchanan, Hon Elmer	Hastings-Peterborough	NDP	Minister of Agriculture and Food
Callahan, Robert V.	Brampton South	Lib	
Caplan, Elinor	Oriole	Lib	
Carr, Gary	Oakville South	PC	
Carter, Hon Jenny	Peterborough	NDP	Minister of Energy
Charlton, Brian A.	Hamilton Mountain	NDP	Parliamentary assistant to the Minister of Energy
Chiarelli, Robert	Ottawa West	Lib	
Christopherson, David	Hamilton Centre	NDP	Parliamentary assistant to the Minister of Economics
Churley, Marilyn	Riverdale	NDP	Parliamentary assistant to the Minister of the Environment
Cleary, John C.	Cornwall	Lib	
Conway, Sean G.	Renfrew North	Lib	
Cooke, Hon David S.	Windsor-Riverside	NDP	Minister of Housing, Minister of Municipal Affairs
Cooper, Mike	Kitchener-Wilmot	NDP	
Coppen, Hon Shirley	Niagara South	NDP	Minister without Portfolio, Chief government whip
Cordiano, Joseph	Lawrence	Lib	
Cousens, W. Donald	Markham	PC	
Cunningham, Dianne E.	London North	PC	Chief whip
Curling, Alvin	Scarborough North	Lib	
Dadamo, George	Windsor-Sandwich	NDP	Parliamentary assistant to the Minister of Transportation
Daigeler, Hans	Nepean	Lib	
Drainville, Dennis	Victoria-Haliburton	NDP	Parliamentary assistant to the Minister of Citizenship
Duignan, Noel	Halton North	NDP	
Elston, Murray J.	Bruce	Lib	House leader
Eves, Ernie L.	Parry Sound	PC	House leader
Farnan, Hon Mike	Cambridge	NDP	Solicitor General, Minister of Correctional Services, minister responsible for the provincial anti-drug strategy
Fawcett, Joan M.	Northumberland	Lib	
Ferguson, Will	Kitchener	NDP	Parliamentary assistant to the Minister of Municipal Affairs
Fletcher, Derek	Guelph	NDP	Parliamentary assistant to the Minister of Consumer and Commercial Relations
Frankford, Robert	Scarborough East	NDP	Parliamentary assistant to the Minister of Health
Gigantes, Hon Evelyn	Ottawa Centre	NDP	Minister of Health
Grandmaître, Bernard	Ottawa East	Lib	
Grier, Hon Ruth A.	Etobicoke-Lakeshore	NDP	Minister of the Environment
Haeck, Christel	St Catharines-Brock	NDP	Parliamentary assistant to the Minister of Colleges and Universities
Hampton, Hon Howard	Rainy River	NDP	Attorney General
Hansen, Ron	Lincoln	NDP	

Name of member	Constituency	Party	Other responsibilities
Harnick, Charles	Willowdale	PC	
Harrington, Margaret H.	Niagara Falls	NDP	Parliamentary assistant to the Minister of Housing
Harris, Michael D.	Nipissing	PC	Leader of the Progressive Conservative Party
Haslam, Karen	Perth	NDP	First Deputy Chair of the Committee of the Whole House
Hayes, Pat	Essex-Kent	NDP	Parliamentary assistant to the Minister of Agriculture and Food
Henderson, D. James	Etobicoke-Humber	Lib	
Hope, Randy R.	Chatham-Kent	NDP	Parliamentary assistant to the Minister of Community and Social Services
Huget, Bob	Sarnia	NDP	
Jackson, Cameron	Burlington South	PC	
Jamison, Norman	Norfolk	NDP	Parliamentary assistant to the Minister of Industry, Trade and Technology
Johnson, Paul R.	Prince Edward-Lennox-South Hastings	NDP	Parliamentary assistant to the Chairman of the Management Board of Cabinet
Jordan, Leo	Lanark-Renfrew	PC	
Klopp, Paul	Huron	NDP	Parliamentary assistant to the Minister of Agriculture and Food
Kormos, Hon Peter	Welland-Thorold	NDP	Minister of Consumer and Commercial Relations, Minister of Financial Institutions
Kwinter, Monte	Wilson Heights	Lib	
Lankin, Hon Frances	Beaches-Woodbine	NDP	Minister of Government Services, Chairman of the Management Board of Cabinet
Laughren, Hon Floyd	Nickel Belt	NDP	Deputy Premier, Treasurer of Ontario and Minister of Economics
Lessard, Wayne	Windsor-Walkerville	NDP	Parliamentary assistant to the Minister of Financial Institutions
MacKenzie, Hon Bob	Hamilton East	NDP	Minister of Labour
MacKinnon, Ellen	Lambton	NDP	
Mahoney, Steven W.	Mississauga West	Lib	Chief whip
Malkowski, Gary	York East	NDP	Parliamentary assistant to the Minister of Citizenship
Mammoliti, George	Yorkview	NDP	Parliamentary assistant to the minister responsible for the provincial anti-drug strategy
Mancini, Remo	Essex South	Lib	
Marchese, Hon Rosario	Fort York	NDP	Minister of Culture and Communications
Marland, Margaret	Mississauga South	PC	
Martel, Hon Shelley	Sudbury East	NDP	Minister of Northern Development, government House leader
Martin, Tony	Sault Ste Marie	NDP	Parliamentary assistant to the Minister of Education
Mathysen, Irene	Middlesex	NDP	
McClelland, Carman	Brampton North	Lib	
McGuinty, Dalton	Ottawa South	Lib	
McLean, Allan K.	Simcoe East	PC	
McLeod, Lyn	Fort William	Lib	
Miclash, Frank	Kenora	Lib	
Mills, Gordon	Durham East	NDP	Parliamentary assistant to the Solicitor General
Morin, Gilles E.	Carleton East	Lib	Deputy Speaker, Chair of the Committee of the Whole House
Morrow, Mark	Wentworth East	NDP	
Murdoch, Bill	Grey	PC	
Murdock, Sharon	Sudbury	NDP	Parliamentary assistant to the Minister of Labour
Nixon, Robert F.	Brant-Haldimand	Lib	Leader of the Official Opposition
North, Hon Peter	Elgin	NDP	Minister of Tourism and Recreation
O'Connor, Lawrence	Durham-York	NDP	Parliamentary assistant to the Minister of the Environment
Offer, Steven	Mississauga North	Lib	
O'Neil, Hugh P.	Quinte	Lib	
O'Neill, Yvonne	Ottawa Rideau	Lib	
Owens, Stephen	Scarborough Centre	NDP	
Perruzza, Anthony	Downsview	NDP	Parliamentary assistant to the Minister of Revenue
Philip, Hon Ed	Etobicoke-Rexdale	NDP	Minister of Transportation

Name of member	Constituency	Party	Other responsibilities
Phillips, Gerry	Scarborough-Agincourt	Lib	
Pilkey, Hon Allan	Oshawa	NDP	Minister of Industry, Trade and Technology
Poirier, Jean	Prescott and Russell	Lib	
Poole, Dianne	Eglinton	Lib	
Pouliot, Hon Gilles	Lake Nipigon	NDP	Minister of Mines, minister responsible for francophone affairs
Rae, Hon Bob	York South	NDP	Premier, Minister of Intergovernmental Affairs
Ramsay, David	Timiskaming	Lib	
Rizzo, Tony	Oakwood	Ind	
Runciman, Robert W.	Leeds-Grenville	PC	
Ruprecht, Tony	Parkdale	Lib	
Scott, Ian G.	St George-St David	Lib	
Silipo, Tony	Dovercourt	NDP	
Sola, John	Mississauga East	Lib	
Sorbara, Gregory S.	York Centre	Lib	
Sterling, Norman W.	Carleton	PC	
Stockwell, Chris	Etobicoke West	PC	
Sullivan, Barbara	Halton Centre	Lib	
Sutherland, Kimble	Oxford	NDP	
Swarbrick, Hon Anne	Scarborough West	NDP	Minister without Portfolio responsible for women's issues
Tilson, David	Dufferin-Peel	PC	
Turnbull, David	York Mills	PC	
Villeneuve, Noble	Stormont, Dundas and Glengarry	PC	Second Deputy Chair of the Committee of the Whole House
Ward, Brad	Brantford	NDP	Parliamentary assistant to the Minister of Skills Development
Ward, Margery	Don Mills	NDP	Parliamentary assistant to the Minister of Government Services
Wark-Martyn, Hon Shelley	Port Arthur	NDP	Minister of Revenue
Warner, Hon David	Scarborough-Ellesmere	NDP	Speaker
Waters, Daniel	Muskoka-Georgian Bay	NDP	Parliamentary assistant to the Minister of Tourism and Recreation
Wessenger, Paul	Simcoe Centre	NDP	Parliamentary assistant to the Attorney General
White, Drummond	Durham Centre	NDP	
Wildman, Hon Bud	Algonia	NDP	Minister of Natural Resources, minister responsible for native affairs
Wilson, Fred	Frontenac-Addington	NDP	Parliamentary assistant to the Minister of Correctional Services
Wilson, Gary	Kingston and The Islands	NDP	Parliamentary assistant to the Minister of Culture and Communications
Wilson, Jim	Simcoe West	PC	
Winninger, David	London South	NDP	Parliamentary assistant to the minister responsible for native affairs
Wiseman, Jim	Durham West	NDP	
Witmer, Elizabeth	Waterloo North	PC	
Wood, Len	Cochrane North	NDP	Parliamentary assistant to the Minister of Natural Resources
Ziemba, Hon Elaine	High Park-Swansea	NDP	Minister of Citizenship, minister responsible for disabled persons, minister responsible for the Ontario Human Rights Commission, minister responsible for race relations, minister responsible for senior citizens' affairs

COMMITTEES OF THE LEGISLATIVE ASSEMBLY

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Vice-chair: Mark Morrow

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Clerk: Lisa Freedman

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Clerk: Franco Carrozza

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Clerk: Harold Brown

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Chair: Elinor Caplan

Vice-chair: Joseph Cordiano

Members: Charles Beer, Christel Haeck, Randy R. Hope, Gary Malkowski, Tony Martin, Lyn McLeod, Stephen Owens, Tony Silipo, Jim Wilson, Elizabeth Witmer
Clerk: Lynn Mellor

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Legislative Assembly of Ontario

First Session, 35th Parliament

Official Report of Debates (Hansard)

Wednesday 12 December 1990

Assemblée législative de l'Ontario

Première session, 35^e législature

Journal des débats (Hansard)

Le mercredi 12 décembre 1990

Speaker
Honourable David Warner

Clerk
Claude L. DesRosiers

Président
L'honorable David Warner

Greffier
Claude L. DesRosiers

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Table des matières

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LEGISLATIVE ASSEMBLY OF ONTARIO

Wednesday 12 December 1990

The House met at 1330.

Prayers.

MEMBERS' STATEMENTS

NUCLEAR POWER

Mr Conway: I rise on behalf of my constituents in Renfrew county, more particularly those constituents of mine who work at the Chalk River Nuclear Laboratory. That would be some 2,000 people. These constituents are increasingly concerned about and by the energy policy of the new government in Ontario.

More specifically, the new Minister of Energy, the honourable member for Peterborough, has on a number of occasions articulated a very strong personal view against the future of nuclear power in Ontario. As Minister of Energy, she has directed Ontario Hydro to renegotiate its recently concluded agreement with Atomic Energy of Canada. This ministerial directive has already caused a very real concern in my community.

I might add that the Ottawa Valley press last week reported that one multimillion-dollar contract has already been affected and a number of jobs, in this case at Sheridan Park, may very well be in jeopardy as a result of that ministerial directive. The city of Pembroke, at a meeting last week, passed a resolution expressing its concern about the new energy policy and about its confidence in the nuclear power option for Ontario.

My constituents in Chalk River and elsewhere want me to convey to the new government and to this Legislature their belief that nuclear power has an important and positive role to play in the future energy policy of this province and they expect that it will be given a fair and balanced hearing as we move forward to develop a balanced and sensible energy policy for Ontario in the 21st century.

MATTAWA AND DISTRICT ARTS COUNCIL

Mr Eves: I am pleased to rise in the House today to welcome the members of the Mattawa and District Arts Council who are here from the riding of Parry Sound. For those who are returning members, they will be aware of the rotating art display in my office provided by this council.

I am pleased to announce that the Mattawa and District Arts Council has arranged for a new display in my office of several excellent paintings done by a very prominent artist, Clemo Duval, who is here with us today. These works are titled *Life Line* and *Flying Out of the Painting*.

The Mattawa and District Arts Council was formed in the spring of 1989 and serves to promote the work of local artists and craftspeople. I think it is indeed an honour to have such talented people, not only in the riding of Parry Sound but in all ridings in the province of Ontario, and we as Ontarians and Canadians should be doing everything we can to promote their very valuable work.

BRIDGE REPAIRS

Ms Haeck: Since his appointment on 1 October, the Minister of Transportation has repeatedly stated his commitment to improve roads and maximize transportation safety in Ontario. It gives me great pleasure to announce to the House today a number of contracts and initiatives which exemplify this government's commitment to better and safer highways.

I am especially pleased that these announcements directly benefit Ontarians in my own riding of St Catharines-Brock. On 28 November, a contract valued at \$1,842,700 was awarded to C. H. Heist Ltd for surface preparation and coating of existing structural steel on the Garden City Skyway along the Queen Elizabeth Way at St Catharines. As part of the ongoing maintenance program for this 30-year-old structure, repainting, which normally takes place only during warm weather, will be accelerated. A 33-metre section will be painted between January and March, and the balance completed by the end of September. This will cut the necessary delay and inconvenience to bridge users by three months.

On 12 December, tenders will be opened for structural rehabilitation of four bridges at Highways 406 and 58 at the St David's Road interchange in St Catharines. The estimated value of this contract is \$700,000. Over the years these four bridges have suffered structural deterioration due to exposure to salt spray. This has resulted in damage to concrete decks and leakage due to corrosive salt and dirt accumulations.

We thank the minister for his consideration.

COMMUNITY SERVICE

Mrs McLeod: I am always pleased, as I would expect all members are, when the hard work and dedication of people in the community that I represent are recognized. Today, I am proud to have the opportunity to congratulate Rosemary Collins, a resident of Thunder Bay, who on Friday 7 December 1990 was awarded a community action award by the Ontario Office for Disabled Persons. The award was given to honour the outstanding contributions that Ms Collins has made to the disabled persons' community in Thunder Bay.

The list of organizations with which Ms Collins has been involved is a long and distinguished one. A rehabilitation counsellor with the Ministry of Community and Social Services for the past 14 years, she has served as a member of the Lakehead Association for Community Living, the Lakehead Social Planning Council, the Thunder Bay Therapeutic Recreation Committee, the Handicapped Action Group Inc, housing and tenant selection committees, the Thunder Bay Volunteer Action Centre, the family services committee of the Red Cross and the March of Dimes women with disabilities committee. This is just a sample of Ms Collins's work.

Thunder Bay is a city which owes much to residents committed to community involvement. The level of Ms Collins's involvement sets a high standard for others to follow.

WASTE MANAGEMENT

Mr B. Murdoch: I would like to remind the Minister of the Environment of a situation in my riding, of which she is already aware. As she knows, her ministry approved a waste management study for Grey. With the blessing of her officials, the city of Owen Sound joined in and formed a partnership with Grey in terms of the study. Ministry personnel began supplying advice because the local field staff, by their own admission, have little expertise in the area of waste management. Now the assigned expert is on maternity leave and her replacement is not available because of a shift in ministerial priorities. As a result, after a year of hard work the study has come to a halt.

This is a most unfortunate situation, because my riding has approximately five landfill sites which are quickly reaching their limit and several more which are presently operating under a ministerial certificate because they are already full.

Nothing can be done without the study, and the study cannot proceed without the assistance from the ministry. Grey is trying to do its best for its people and waste management, but it does need help from the minister. County council is disheartened because it feels the government has pulled the rug out from under it.

I would appreciate the minister's looking into this matter and advising me or Grey council of any assistance she can provide.

1340

CANADIAN BROADCASTING CORP CUTBACKS

Mr Lessard: I mentioned on Monday that the mayor of Windsor has formed a task force to respond to the recent decision to close CBET-TV. The strategy of this task force is to impress upon the entire country the incredible anger and sense of loss felt as a result of this decision. It is to point out that Windsor is almost totally surrounded by the United States and that in many areas of Essex, Kent and Lambton counties viewers will have no alternative but to watch American news and programming.

This will radically change the perception that we have of ourselves. We are not like Americans, nor do we ever want to be. This decision tears at the very fabric of Canada. The effect on national unity is devastating.

"CBC and you"—that is how the promotional ads go. CBC is us; it is our friends and it is our neighbours. But with this loss in Windsor it is becoming next to impossible to know ourselves.

I urge CBC to reconsider its decision to close CBET. Consider the incredible stupidity and waste of tax dollars, stopping the work of 80 employees but continuing to pay those persons until April. This is the ultimate gag order. Why not let these people continue to provide service to the community? Show some fairness and give the community a chance to respond to this catastrophe. I urge CBC not to

strip the equipment from this station. I urge this government to pass a resolution condemning this destructive act.

Mr Mancini: I am also going to give a statement on the decision of the Canadian Broadcasting Corp. We all know what has happened during the past week. We all know that station CBET in Windsor has been closed, and we all know what has happened in the Legislature over the past week also. We saw last week, or I should say early this week, a half-hearted question from the member for Windsor-Walkerville to the Minister of Culture and Communications asking him whether or not TVOntario would be able and willing to fill the void. Today we witnessed another half-hearted statement attacking the government of Canada for doing this terrible thing but in fact not putting the government of Ontario on notice, I say to the member, that maybe the government, with its vast resources through TVOntario, should be able to do something for the people of Windsor, Essex county, Kent, Lambton, Sarnia, Chatham and area.

There was a time in the Legislature when the people of Windsor had fighters for Windsor in the Legislature, and half-hearted answers from ministers were not accepted. There was a time when ministers could not say, "Well, it is not our mandate to do this, so we cannot do it." I say to the Minister of Culture and Communications, he is in the cabinet. He and his cabinet colleagues who run the government of Ontario have the power to change the mandate of TVOntario and they have the power to serve Windsor, Essex, Kent, Lambton and Sarnia.

GASOLINE PRICES

Mr Jordan: I rise today to inform the Minister of Energy that her solutions for dealing with high gasoline prices are simply not acceptable to the residents of rural Ontario, including many from my riding of Lanark-Renfrew.

On Tuesday of last week the minister, in response to a question from the member for Brampton South, told this House: "One way of avoiding the consequences of increasing prices is to use less." I would put it to the minister that this is not an option available to many members of my constituency.

In Almonte and Carleton Place, two towns in my riding, close to 50% of their populations work in Ottawa—about 60 miles return. These people have no choice but to drive to their jobs. Smiths Falls and Arnprior, both 50 miles from Ottawa, have about 20% of their population commuting every day. An estimated 10% to 20% of Perth's residents commute 110 miles every day to Ottawa, and 10% of Renfrew's residents make the 120-mile trip daily.

The Premier and other members of his party clamoured loudly about the unfairness of gasoline prices while in opposition. Now the Minister of Energy asks us to stop complaining and reduce our consumption.

COMMUNITY SERVICE

Mr O'Connor: It is with great honour that I speak today and I would like to reflect for a moment on a special awards ceremony that took place last Tuesday in the midst

of a snowstorm up in my riding. There were special awards presented to Jim Quinn, Ted Quinn Jr and David Joyce. In a heroic gesture without thought to their own lives, they pulled four people whose boat was sinking out on Lake Simcoe out of the frigid waters on 14 April of this year. A special presentation was made to them.

Also during that awards ceremony, Junior Citizens of the Year Alison Armitage and Jody Hanna were presented with certificates. A special service recognition award was given to Anne Eecloo and Citizen of the Year Mavis Gulyas this past week during the middle of a snowstorm. They were all able to attend.

STATEMENTS BY THE MINISTRY

CONFLICT OF INTEREST CONFLIT D'INTÉRÊTS

Hon Mr Rae: I am pleased to announce that today I will be tabling a new set of guidelines with respect to conflict of interest. The 31 articles of these guidelines will impose upon cabinet ministers and parliamentary assistants clearer standards of conduct than those imposed by existing conflict of interest legislation and policies. These guidelines do not replace the existing standards or the law that was passed in the previous Parliament, but rather they extend and strengthen them.

First, I consider it essential to establish certain fundamental principles. It is to be our governing principle that we must at all times act in a manner that will not only bear the closest public scrutiny but will go further and ensure public confidence and trust in the integrity of government. Ministers are not to be involved in contracts with the government. Members of their immediate families are to be eligible for contracts, including contracts of employment, only through an open system of competition and tenders. There will be clear public disclosure of any such contracts obtained through the government.

My government has long been committed to the view that the most appropriate way for members to avoid conflicts is to divest themselves of potentially conflicting interests. Accordingly, I am directing my ministers and parliamentary assistants to divest themselves of all financial interests, including business interests, which cause or could appear to cause a conflict unless they can demonstrate that divestment would cause undue hardship and that the public interest will continue to be protected. These divestments must be made at arm's length and not to family members. At the same time, we must respect the right of spouses to independence in their business affairs. Therefore, the divestment policy will not be extended to them. However, the more stringent disclosure rules will ensure that their financial interests are subject to full public scrutiny.

Ministers and parliamentary assistants will be given 60 days to comply with these requirements and any decisions to retain such interest will be made public. In this context it should be noted that under the guidelines parliamentary assistants will now be subject to the same duties that ministers have under the Members' Conflict of Interest Act. To guard against acquiring new conflicts, a prohibition is

placed on acquiring land other than for personal residential, recreational or farm use.

La divulgation ne suffira pas à elle seule à éviter les conflits mais elle aidera le public à suivre de près la conduite du gouvernement. Par conséquent, j'exige une divulgation plus large et plus détaillée des intérêts financiers et des changements importants relativement à ces intérêts. Je crois comprendre que le commissaire a pour règle de demander aux députés de divulguer les changements importants. Je suis heureux d'appliquer cette politique par ces lignes directrices.

Few principles are more fundamental to our democratic system than the independence of our justice system. Accordingly, we set out in some detail guidelines regarding communication with judges, tribunals, prosecutors and the police, mindful that these guidelines are part of and subject to the fundamental duty to maintain public confidence and trust.

I would also point out in this connection that I am specifically requiring that ministers and parliamentary assistants inform me if they are charged with an offence or made party to a proceeding in which their character is put in issue.

In my view these guidelines are only part of a process we must continue. The guidelines are limited to those matters which do not require legislative implementation. We are recommending that a comprehensive review of the Members' Conflict of Interest Act be conducted in consultation with the other parties. It is my hope that this review can begin in the new year. We believe that many of the standards we are adopting today could be applied to all members of the Legislative Assembly. We would also like to hear from the commissioner what amendments he suggests for changing the legislation.

1350

In this regard, I hope that the commissioner will find the guidelines helpful in his dealings with ministers and parliamentary assistants, and that he will provide whatever assistance he can consistent with his statutory authority and his independence as an officer of the Legislative Assembly.

We are also developing a code of conduct for senior public servants and ministers' confidential staff. As most if not all of these individuals are crown employees, it is more appropriate that they be included in the ongoing review of the Public Service Act.

As committed as I am to the establishment of guidelines and codes in legislation on ethics in government, I realize all too well that nothing we commit to writing can substitute for common sense and a well-developed sense of public duty.

MOOSE TAG LOTTERY

Hon Mr Wildman: I would like to announce that I have asked my parliamentary assistant, the member for Cochrane North, to conduct a review of my ministry's current lottery system for allocating moose tags.

The review will provide hunters, tourist outfitters and other interested parties with an opportunity to express their concerns about the moose tag lottery system, and it will

help my ministry to ensure that we have the fairest system possible for the allocation of the tags.

The moose tag lottery system was designed in 1983—

Mr Scott: Why don't you talk about the moose once or twice? The moose haven't had a break from this government since you came in.

Interjections.

Hon Mr Wildman: I have the impression they do not think it is important to talk about moose tags. As I was saying before the moose over there interrupted, the moose tag lottery system was designed in 1983 to place predictable limits on the harvest of adult moose in order to protect the breeding stock. The goal of the program is to double the moose population by the year 2000. In the past seven years, the moose population has increased to 120,000 from 80,000.

Because of the restrictions on moose harvest and the increased number of people who want to hunt, in some parts of the province there are now many more hunters than there are tags available for allocation. Some hunters would like to make changes in the current lottery method of allocating the harvest among competing hunters.

The review will include public meetings. These will be scheduled to take place between 18 January and 2 March 1991 in Toronto, London, Pembroke, Sault Ste Marie, Sudbury, Timmins, Hearst, Kapuskasing, Thunder Bay and Kenora. Concerned parties may present their written submissions at the meetings or send them directly to the member for Cochrane North.

The member for Cochrane North will submit a preliminary report to me on 15 March. His final report and recommendations will guide me as I decide on what changes are needed to improve the fairness of the moose tag lottery system.

The Ministry of Natural Resources has already been assessing the moose tag lottery in an effort to make the system even more fair. One possibility is the introduction of a group application system, by which a group of hunters may jointly apply for a moose tag. Such a system is aimed at distributing moose tags even more evenly among groups of hunters.

The group tag application system will be discussed during the review of the member for Cochrane North. A decision on whether to introduce such a system will be announced 15 March. Should the ministry decide to introduce a group application system, it will be put in place in time for the 1991 season.

This government is committed to consulting with and involving user groups in the management of our resources. The review of the moose tag lottery system will provide concerned citizens with a public forum in which to voice their opinions, and it will ensure that moose tags are allocated in a manner that hunters will find even more equitable.

RESPONSES

MOOSE TAG LOTTERY

Mr Ramsay: The minister mistakes our noise over here as support for what he is trying to do. I am pleased

that the minister mentions that the previous administration really did start to analyse the group application system. I think what that does for the people in the House here is recognize that moose hunting is more than just the consumptive sport that it is perceived to be, but also that people look for the camaraderie of the hunt and also to have the wilderness experience as other people do. I wish him well in that.

Part of the gales of laughter is, though, that we get an announcement on the moose hunt while the minister makes an announcement to the press yesterday about the tree audit, as we have here in this article today, talking to the press. We would like to see more details on that and hope that very serious announcement comes here to the House soon.

CONFLICT OF INTEREST

Mr Sorbara: I intend to respond to the Premier's statement regarding his new guidelines on conflict of interest. It is interesting that in the first few months of this government we have found New Democratic Party members who have abused the use of government stationery, New Democratic members who have abused the use of their offices, New Democratic members who have been thrown out of the caucus, by the caucus, in private, without any public disclosure of the basis for that ejection from the NDP caucus, and New Democratic members who have misused municipal funds and stationery in pursuit of their own election campaigns.

What is so outstanding about these new guidelines—we acknowledge on this side of the House that divestiture seems to be the order of the day—is that it is interesting that if these guidelines are actually put into place, it means that no small business person in this province can ever expect to get into cabinet; that is to say, if he owns a hardware store or she perhaps owns a feed mill or some other business, in order to qualify for Mr Rae's cabinet it will not be permitted.

There are, however, some exceptions, and what is interesting about the exceptions is that notwithstanding that we passed an act in this House that set up an independent commissioner, the exception to the rules and the person who will determine whether or not that exception stands is none other than the Premier himself.

Let us look at the section. It says that ministers are required to divest themselves of any asset or liability which could cause or potentially cause a conflict, and all business interests. It goes on to say that except where the minister satisfies this, it is the Premier—not the conflict of interest commissioner but the Premier and Ross McClellan and David Reville—who will, in private, look over the business interests and see if that individual can or cannot qualify for cabinet.

This is a shocking departure from a statute that has been respected all over Canada and North America as the single most important piece of conflict of interest legislation passed in North America. The Premier has gone beyond all of that. He says in this document, his new guidelines which he is tabling today, that the Premier will

be the arbitrator of which business interests cause or do not cause a conflict.

I cannot believe, having participated in the debate dealing with conflict of interest and having assisted the then Attorney General in formulating that legislation and having agreed that this was a good idea to put in statute, that the Premier would now table guidelines requiring any potential cabinet minister and any potential parliamentary assistant to sell everything that he has. He cannot do anything with that money except keep it in the bank. He cannot buy shares in Imperial Oil because Imperial Oil might buy a piece of land and these guidelines prohibit the purchase of land directly or indirectly.

There is a caveat, and the caveat is sitting right over there across from me in the Premier's chair. I cannot believe that after all we have been through, the Premier of this province would decide that he and he alone will be the arbiter of what is or is not a conflict.

It goes on to set up the Premier as the arbiter in other instances. Beyond that, he says that there are new guidelines with respect to communication and the administration of justice. I have looked at them. They are no different from the guidelines that existed before. Communication with tribunals and ministries are no different from the guidelines that Liberal cabinet ministers adhered to. Additional restrictions add nothing except, again, the prohibition against purchasing any land whatever, directly or indirectly, unless the Premier of this province decides in his wisdom that it is okay.

This is a shocking departure from a system that was fair to all concerned under the legislation.

1400

Mr Perruzza: On a point of privilege, Mr Speaker: The former speaker insinuated that I somehow abused my privileges as a councillor with respect to stationery. It was widely—

Mr Sorbara: I didn't mention your name or your riding. What are you talking about? Is this a confession? Talk to Bob. Don't talk to me.

Mr Scott: This is the one chance the NDP will give him to speak. Let him speak.

Interjections.

The Speaker: I expect that all members will allow any member to put forward what she or he believes to be a point of privilege, and will allow the Speaker the opportunity to assess the statement made. Let us give the member for Downsview the courtesy of listening.

Mr Perruzza: If the member had checked my printing expenses from the year I was elected to the year that I ordered the other stationery, he would have found that I used the same amount of stationery. It cost me \$1,200, which is \$1,400 less than the average in the city of North York. In the way of community meetings and so on, I did much more than any other member on that council. The member will find, if he checks the expenditures for the councillors for this year and for the period that I was on North York council, that my expenses were much lower than the average in the—

Mr Eves: You didn't make the Premier happy with your point of privilege. If you could have seen his face, you are in deep trouble.

Mr Jackson: Any other secrets over there?

The Speaker: If nothing else, everyone is obviously refreshed after the long sitting last night. To the member for Downsview, I listened very closely to the remarks by the member for York Centre and there was no mention of any individual's name or riding.

Mr Sterling: I want to comment on the Premier's announcements on conflict of interest guidelines. I am absolutely amazed that the member for York Centre is a respondent for the official opposition, because of the number of problems that were cited by the conflict commissioner during his period as the minister and that government's watering down of the conflict of interest guidelines in 1985 to accommodate many ministers of the former government. I could not understand how this party can possibly criticize an improvement in terms of the conflict of interest guidelines.

I want to say to the Premier, however, that he still has to go some distance to go back to 1972. I want to talk about three or four specific cases with regard to his conflict of interest guidelines. In 1972, Premier Davis then said that no private company in which a minister or his family has an interest could become contractually involved with the government of Ontario. The Premier, in essence, has watered that clause down by saying that some members of the family of one of his cabinet ministers or parliamentary assistants can become contractually involved with the government.

We would ask the Premier to tighten that up further, because regardless of whether or not he likes it, he leaves a wide-open door for abuse to come into effect in terms of family members getting preferential treatment with regard to contractual arrangements with his government.

The second area I would like to talk about is that Mr Davis required in 1972 that ministers and their families had to divest themselves of all holdings in public corporations. Under the Premier's plan, a spouse or members of the family—the immediate members of the family—can hold shares in public corporations. I think that is a definite weakness in terms of the Premier's guidelines.

Under the guidelines back in 1972, Mr Davis required all cabinet ministers to divest themselves of all lands save and except for residential land or recreational land, and that included as well the requirement with regard to family members. That was in part a requirement of the guidelines at that time. I would ask the Premier to toughen the guidelines with regard to requiring other family members to divest themselves of those other kinds of land save and except as was set out in the guidelines of 1972.

Last but not least, when we were considering the Members' Conflict of Interest Act in the last Parliament or the Parliament before—I cannot remember which—our party stood hard and fast for the requirement that deputy ministers of the government be required to follow the same exact guidelines as cabinet ministers and parliamentary assistants. It has been our experience that deputy

ministers are often in a better place to take advantage of any kind of contractual arrangements with the government than the elected politicians might be.

If the Premier tightens those guidelines, I think he will not have the problems that the former government had in terms of meeting public expectations and the number of ministers who had to resign as a result of either real conflicts or perceived conflicts.

MOOSE TAG LOTTERY

Mr B. Murdoch: My response is to the Minister of Natural Resources. I would like to commend him for replying to our moose problem so quickly. It was actually the only issue that was never addressed in the Agenda for People and he has made a decision on it which we applaud him for.

There is one more issue that I would like to mention, though, that the minister did not have anything to say about, and that was the fees. Hopefully he will not increase them until he has consulted with somebody.

ORAL QUESTIONS

CONSTITUTIONAL REFORM

Mr Scott: I have a question for the Premier. I wonder if the Premier could confirm that representatives of his office have been in touch with political and public service representatives in Ottawa and other provinces with respect to the issues of national unity that are being presented by the constitutional debate.

Hon Mr Rae: I can tell the member, from my knowledge, of some discussions which very naturally take place between deputy ministers. The Deputy Minister of Intergovernmental Affairs, for example, has very naturally in the course of events over the last two months been speaking to the deputy minister in Ottawa, and as well has obviously been in touch regularly, as is normally the case, with deputy ministers in other provinces; I cannot give the member details of exactly which provinces.

I can tell him that the secretary of cabinet has also, in the normal course of events, had discussions with the secretary of cabinet and others in Ottawa. These are normal discussions. There were no particular proposals of any kind discussed, because as far as we are aware the federal government has no particular proposals to put forward. But of course there have been discussions. That is the normal course of events.

Mr Scott: The Premier understands perfectly that I am not interested in what he calls discussions in the normal course of events. I am interested in discussions that have taken place either at the political or at the bureaucratic level with Ottawa or other provinces that have to do with the issues that remain outstanding as a result of the failure of the Meech Lake accord.

The Premier has conceded that there have been discussions at the bureaucratic level. I wonder if he would be good enough to tell us what subjects have been discussed at the bureaucratic level, and would he be good enough to confirm what discussions have taken place between political players?

1410

Hon Mr Rae: I can answer the latter question. I honestly cannot answer the former question because if the member is asking me for a detailed account of those conversations—

Mr Scott: What is Peter telling you he is hearing?

Hon Mr Rae: With great respect to the former Attorney General, the member for St George-St David, I think he knows that certain discussions that take place in the ordinary course of events I am not going to report every day to the House in terms of the discussions that I have. But I can say to him with respect to my discussions, which I am happy to refer to him, that I have had a meeting with Premier Ghiz, I have had a meeting with Premier Filmon and I have had phone conversations with several of the other premiers, including Premier Bourassa. This was before Mr Bourassa's latest stay in the hospital. I have not had an opportunity to speak to Mr Bourassa except at a personal level since that time.

I can only say to the member that the discussions have been very general. It has been a sense of saying we have to keep the process under way. We want to establish some personal contacts. I would say to the former Attorney General that right now it seems to me the fallout from the Meech Lake accord has been such that there has been a reluctance to get together. I am encouraging people to get together.

My approach is to encourage people. If we can get together and discuss something practical, like the economy, at that point some new personal discussions may be able to take place in terms of how we see the future constitutional discussions happening over the next several months, and indeed several years.

That is the extent of the discussions so far. I would be happy to answer any other questions the member for St George-St David has in that regard.

Mr Scott: The Premier is a good Canadian and he places the issues of national unity very high, as do all of us in this House. He knows that it is five minutes to midnight in this constitutional exercise and he does not have to be reminded that if on his watch there is failure in national unity matters, all the other things he hopes to accomplish will be of no real historic consequence. He knows that.

He has told us that there have been bureaucratic discussions of a general type. He has told us that there have been political discussions of a general type with himself and some other premiers. He has encouraged us from the beginning, from the first day that this House sat, to participate in the development of a bipartisan constitutional policy, an objective that I take very seriously and regard as very important.

What I want to know from the Premier—having promised that he will have some policy to announce by 20 December; having spoken at length about constitutional issues outside the House, recently at an NDP meeting on Sunday night and in scrums from time to time; having spoken with his political colleagues and having had his senior public servants speak with other senior public servants in a variety of governments—is, when is he going to

tell the Legislative Assembly and the people of Ontario something about his plans so that we can participate in a meaningful way in this exercise?

The point I make to the Premier is that all this is going on without any reference not merely to opposition leaders but to any members of the assembly. We want to share his burden but we cannot share his burden unless he takes us into his confidence. It is what he asked of us and it is what we ask of him. When is he going to do it? A day before he makes his announcement? Two days before? Is he going to offer us a *fait accompli*? What is the plan the Premier has and why can he not tell the House and the people of Ontario about his response to this critical issue?

Hon Mr Rae: The member for St George-St David said he would like to share my burden. I would be delighted in many ways to do that.

I would remind the member for St George-St David that when he was the Attorney General and we were getting down to the very short strokes with respect to the Meech Lake accord, it was on his instructions that I was told, as Leader of the Opposition, that I could not attend a meeting which dealt with last-minute strategy.

Mr Scott: You went to all the others. We have been to none. We have not been to a single meeting. You were in the Union Station every day.

Hon Mr Rae: No. I just say that by means of contrast to the member for St George-St David. I say that because I want to stress to the former Attorney General that that is not the way in which I intend to do things. I say that by means of contrast to what has taken place in the past. I said yesterday to his leader as clearly as I possibly could that I wanted to have discussions with him and with the leader of the third party this week. It is my earnest desire to do that. I say to him—

Mr Scott: When?

Hon Mr Rae: We will work out the details of the time. Also, in response to the question from the Leader of the Opposition yesterday, when I was asked whether or not it would be possible for us to schedule a debate on the issue, I said I thought that was a good idea and I said I thought that was something the House leaders should discuss in terms of how we do that.

I have said to the House, I have said outside, I have said for some considerable time that the direction which we are going to take by way of process will be presented by the government to the House before we adjourn for Christmas. That is the commitment I have made.

Mr Scott: After consultation?

Hon Mr Rae: After consultation. I intend to fully live up to those commitments and I intend to fully live up to the sense which I believe still exists in this House that there is not only room for consultation, there is a requirement that we consult, not only that we consult with members of all parties but that we consult with the people of the province of Ontario so we do not end up making the mistakes that have been made in the past.

LANDFILL SITES

Mrs Sullivan: My question is to the Minister of the Environment and it relates to the minister's secret list of garbage dumps. Yesterday the minister said the list was not secret. It is, however, unavailable. We have called Metro works, we have called the greater Toronto area office, we have called the Ministry of the Environment and we were unsuccessful in shaking that list loose. We were told that it is held by the Metro works commissioner, Bob Ferguson, and Metro's consultants, M. M. Dillon, and will not be publicly released.

Since the minister's officials reasserted her responsibility for garbage and site selection at a meeting with regional officials yesterday, will she table the list in the House today as we asked her to do yesterday, reducing the uncertainty that a number of communities face in relationship to that list, and will she confirm her policy adviser's statement that her permanent landfill will be up and operating by mid-1994?

Hon Mrs Grier: I wish I could confirm with certainty that statement. That is certainly our hope and our intention. It will require co-operation from the members of this House, who I know share my concerns that a long-term site in fact be up and operating by 1994. I look forward to having that co-operation when I bring forward the legislation for the public authority that will be created to do just that.

Mrs Sullivan: Once again, for the third time, I ask the minister, will she table the list in the House? I am also very interested in her hopes and intentions, as she describes them, that she and her authority can open a landfill site in 1994 in an expedited fashion. The minister's policy adviser has indicated that a site will be chosen in June 1991. We would like to see the list. We have not seen any details on the minister's garbage authority; it does not exist. We have not had any details on proposals on the specific plans to gut the environmental assessment process; it does not exist. She told us that in the House the other day.

The minister will know that to secure an operational site for the ministry, her officials in the ministry now assume a minimum of a one-year construction season, a minimum of six months for documents and consultation preparation, an average of 18 months for government review—and it certainly has never been under a year—three to six months between the review and the hearing start and about two years for hearings and a decision. That is a minimum of a five-year wait. Existing garbage dumps will be full beginning in 1991. A new long-term dump is five years away, and the minister is clearly not planning ahead.

1420

My question to the minister is: Will she give the residents of Marmora, Kirkland Lake, Orillia, Plympton, Mississauga, Vaughan, Brampton and Pickering the assurance that any new garbage dumps on her secret list and any proposed expansions of existing dumps will receive a full environmental assessment hearing and a public hearing?

Hon Mrs Grier: Let me deal once again with the issue of the list, which—I hate to disappoint the member—

I have not got and I have not seen. The list is a list that was prepared by Metropolitan Toronto council under the auspices of the program put in place by the previous government. I have asked Metro council and the regional municipalities that comprise the greater Toronto area to keep their options open with respect to long-term landfill sites and I have asked them to provide to the new public authority, when it is established, all the relevant material, studies and information that they have collected so that we build on the work that has been done and not duplicate it. That is our intention.

Mrs Sullivan: I would like to read a report from the Toronto Star of today's date. It says: "In a meeting with regional heads, provincial officials told Metro to hand over its secret list of 15 long-term dump sites to the province." I am asking the minister again, will she table that list in the House?

Hon Mrs Grier: The member seems to be unable to comprehend the kind of integrated waste management strategy that this government is putting in place. Her second question dealt at length with the time frame for finding a long-term site. She knows, I think, that that time frame is very dependent on how seriously we can get to reducing and reusing waste, and that is what this government is going to do.

When it comes to preparing for a long-term site, this government is going to put in place a public authority and that authority will develop a list. That list will use the information that has already been collected by the regional municipalities and that list may be the same that Metropolitan Toronto has. It may be a very different list, it may be a longer list, it may be a shorter list, but it will be part of a very public process that is being undertaken by what I hope will be a joint municipal-provincial partnership and that will be proceeding in accordance with the values and the principles of the Environmental Assessment Act. I hope to have the member for Halton Centre's co-operation and support in that endeavour.

RENT REGULATION

Mr Tilson: I have a question—

Mr Scott: We have gone through that. We don't want the list. Don't ask another question. That's enough.

The Speaker: I thought I might start keeping a list of noisy, disruptive members. Perhaps all of us at this time could direct our attention to the member for Dufferin-Peel, who is waiting patiently to place a question.

Mr Tilson: Thank you, Mr Speaker. I have a question to the Minister of Housing.

Mr Scott: Don't ask for the list.

Mr Tilson: No, I won't. I have asked for the list but he has not got it either.

We have listened for several weeks now to the minister's dissertations on Bill 4 and throughout all that, both inside and outside the House, he refuses to acknowledge the impact that Bill 4 is having on the workers of this province normally engaged in essential apartment renovations. I am not talking about the marble foyers that have

been referred to so often by the minister; I am talking about essential apartment renovations.

As the minister knows, project after project, many essential to the proper maintenance of aging buildings, is being put off or cancelled. The minister knows that. Would he not agree that it is ultimately the tenants' quality of life which will suffer if buildings are not maintained by owners who, through no fault of their own, simply do not have the resources to undertake even the essential structural work and repairs? Would the minister tell us?

Hon Mr Cooke: I would certainly agree with the member that it is the tenants' quality of life that Bill 4 is attempting to address. I would like to refer the member to an article that was in today's Globe and Mail about a building that has been raised in this House by the Liberal Party and responded to by myself as Minister of Housing.

I guess the approach that the Conservative Party is taking that of people like David Franklin, who owns 109 Jameson, who invested in the building with his partners, who then invested capital in the building, and now has been able to take advantage of a tax loophole so that the capital that he invests he gets to write off the tax system, then gets to pass it through under the rent review system—and then his response to the Globe and Mail questioner about the likelihood that all the tenants in that building would be economically evicted from the building is: "That's one downside to the deal. I agree the current tenants would be forced out. I thought it was the government's job to look after them." The member is right; it is our job to look after them and that is what we are doing under Bill 4.

Mr Tilson: I acknowledge that the previous government made a terrible mess of the housing crisis in this province. I acknowledge that, but this government is making it worse. I know that they believe that there is more than enough money in basic rental increases to take care of all repairs and maintenance, no matter how major. Let's assume the owners simply cannot afford to maintain their properties. I know the government does not want to assume that, but let's just assume that.

Is the government telling this House that the tenants' quality of life and their rightful enjoyment of comfortable accommodation is somehow going to be assured by more property standards inspectors, by more and more unenforceable work orders and simply more bureaucracy—that is what they are going to create? Is the government telling us that? Is this really their solution? Do they really believe that tenants can take comfort from that?

Hon Mr Cooke: I go back to the question that the member seemed to refuse to answer in his caucus, and that is, what quality of life do tenants have if they are economically evicted from their buildings? In this particular building, as I said a few weeks ago, rent increases of 80% to 135% were asked for. We cannot in this party sit by and watch that happen.

If the member read on to the article that was in today's paper, after all of this work was going to be done—purchase the building, put capital into the building, pass the costs through the rent review system, take tax writeoffs—

then what was the plan of this investor? In 1995 flip the building, then the tenants go back to rent review and those costs are passed through too. I cannot justify that system. That is why we brought in Bill 4.

Mr Tilson: I will tell the government one thing. This side of the House is not going to create slums like they are creating. Can the minister tell us whether he is considering extending the mandate of rental standards boards to cover all buildings regardless of size, and what impact this will have on the size and cost of his bureaucracy? Can he tell us that today?

Hon Mr Cooke: I think that one of the issues that the member as a critic and the Liberal critic and landlords and tenants in this province are going to have to deal with is, when the matter is before the committee, the consultation document for the long-term solution, we have to address the issue of maintenance and capital in the buildings across this province. We have said that right across, but I look forward to the member's suggestions of what we should do in the long term.

The Liberal critic yesterday came up with some suggestions—I do not entirely agree with her, but she came up with some positive suggestions. I am looking forward to the member's. He can sit back and criticize and say that tenants should not be protected and we should eliminate rent review, but as long as we are in power the elimination of rent controls is not in the cards. We are going to bring in legislation to properly protect tenants in this province.

1430

LANDFILL SITES

Mr Cousens: I have a question for the minister of garbage. It is inconceivable that she, as minister, does not know the 15 potential dump sites on Metropolitan Toronto's list, because as the minister responsible—

The Speaker: Would the member take his seat for a moment? I thought you were about to use the proper title, perhaps with responsibility for certain items.

Mr Cousens: Mr Speaker, how right you are. Thank you very much.

To the honourable Minister of the Environment—let me begin again, just in case she missed my preface. It is just inconceivable that she, as the minister responsible for the environment, does not know the 15 potential dump sites on Metro's list. As minister responsible for waste management, she just has to know what they are. Her problem is that she just will not volunteer the locations of the sites, but we can.

We have been informed that of the 15 sites, eight have had no geological testing done to date. It will therefore be impossible for them to be operational by 1994. That leaves seven possible sites: Kirkland Lake, Marmora, Plympton, Rouge, Whitevale, Newcastle and Orillia township. However, yesterday the Premier ruled out the Rouge, so we now have six possible sites. Is the minister going to deny, in the presence of all these witnesses and the honourable Speaker in this House, that these sites are not on Metro's list?

Hon Mrs Grier: I can neither affirm nor deny that they are on the list. If the member wants to pass me the list I would be more than happy to have a look at it, because I have not yet seen it.

Mr Cousens: So we are now down from seven to six sites. At this point we do not need to listen to the minister, because we have got more information than she does, but we are still going to give her a chance to give that leadership that she is so capable of giving, especially when she was in opposition. This looks like more of a preview of the way in which the minister's new and improved environmental assessment process is going to work—through attrition. In other words, it is her intention to select a landfill site for Metro's garbage by the process of elimination.

The facts are that Metro Toronto has admitted that it has signed a contract with Kirkland Lake for disposal of its garbage, and the minister has actually encouraged the signing of this deal. The minister should come clean with the people who voted for her party in the September election and who depended upon her no-dump party to protect them from having to accept garbage they do not want. She knows it is going to take at least a year for her new and improved environmental assessment process, 18 months for the court battles and another 18 months to engineer the date.

Will the minister not today admit that Kirkland Lake is the only viable site that could even come close to meeting the 1994 deadline?

Hon Mrs Grier: Each of the five regional municipalities that comprise the greater Toronto area has itself been undertaking a search for a landfill site. Under the previous government, the chairs of those regions came together to form the Solid Waste Interim Steering Committee and that body was seeking a site for the greater Toronto area. It is that body that is going to be the foundation of the new public authority that will be seeking a landfill site, not merely for Metropolitan Toronto but for Metro and Durham and Halton and Peel and York. It is that authority that will be developing a list of sites, that will be establishing criteria by which sites will be selected or not selected and that will be subjecting their choice of sites to the environmental assessment process. I think that is the missing element in the question that the member has been posing. We are not seeking a long-term site merely for Metropolitan Toronto, which has now developed a list; we will be seeking a site that will accommodate not the garbage but the leftovers after reduction and reuse for the greater Toronto area.

Mr Cousens: It is a funny transformation from a prophetess to a goddess to a tooth fairy, because what is going to happen is that the people in Metro Toronto are going to wake up some morning with garbage under their pillows because she has not solved the problem.

I am getting notes. Everybody sort of agrees with me.

It is time the minister read her notes and understood that we have a crisis and she is not just going to do it with the three Rs. She comes back and she gives us the same old message, which we all believe in, but we somehow would like to have her give us a number on how much

landfill we are going to save through her big 3Rs program by the end of 1993, three years from now. We are rolling towards that date. How much landfill are we going to save from now until then from her 3Rs program, and live with it?

Hon Mrs Grier: I guess going from goddess to tooth fairy is a bit of a transition, but had I waited for the process that had been put in place by the previous government, I would have been toothless by the time we got to a landfill site.

The previous government had established a target of diversion of 25% of waste by its recycling program. It is certainly my intention to divert more than that. I agree with the member that we have a crisis and that time is running out and that therefore it is incumbent upon all of us to do whatever we can to divert far more than 25%. I know that in my conversations with the member he has shared my concern that the municipality of York, from whence he comes, is merely diverting 5% of its garbage.

There has to be a concerted effort to divert far more than 25% and then we can in fact have a much longer period before we need to have a landfill site. I acknowledge that we will need an additional landfill site and we are embarked upon a process that will take us to that site, but the bottom line for us is what will protect the environment. What protects the environment is a good search process and serious reduction and reuse.

Mrs Sullivan: My question is again to the Minister of the Environment. It was clear also from today's Toronto Star that according to Metro officials, as the critic for the third party has indicated, there is one option left for Metro's garbage and that is Kirkland Lake as the proposed dump.

The Timiskaming Anti-Garbage Coalition conducted a poll recently of 1,100 citizens in the area, reporting 70% opposition by decided respondents to bringing Toronto's garbage to the Adams Mine site. The members of that group see a conflict in that the Minister of the Environment is also the minister for the greater Toronto area, which is the site of the garbage crisis.

Dr Epps, who is spokesperson for the Timiskaming coalition, has raised a most interesting issue. I would like to quote. Can the minister provide a definition of a willing host? "This should not be difficult as she has already urged Metro to sign an agreement based on this concept. If the willing host is defined as the mayor and councillors, then I suppose they should prepare to shovel garbage. If, however, the definition requires the people of the region to be willing, then I would challenge the Minister of the Environment to obtain proof of our willingness."

An agreement exists between Metro Toronto and Kirkland Lake. The question that the Minister of the Environment has to answer—and I want her to answer it today—is, what is a willing host?

Hon Mrs Grier: Somehow there seems to be a gap in memory somewhere. Let me point out to the member that the list she has referred to, and the list on which Kirkland Lake, Marmora and all of the others exist, was developed under a process put in place by her government, not by this

side of the House. The definition of "willing host" that was accepted and that placed Kirkland Lake on this list was a definition defined by the Liberals when they were the government.

Let me make it very clear to the member that the public authority that will be establishing a long-term site for the waste of the greater Toronto area is not yet in place, has not yet developed criteria as to the appropriateness of sites and has not yet developed a list of sites. No decision has been made as to the ultimate site for Metro's waste.

1440

Mr Cousens: On a point of order, Mr Speaker: The GTA has prepared its own list of 86 sites, not with the help of this party when it was government but of its own accord.

The Speaker: That is certainly a point of information.

Mrs Sullivan: I was not asking for a reiteration of rhetoric; I was asking the minister for a specific response: How does she define "willing host"? She has refused to answer the question about tabling the list. We want to know how she defines "willing host" in her ministry, because she has changed all the other rules.

Hon Mrs Grier: I do not have a definition of "willing host." I consider the definition of "willing host" the definition of "criteria by which a list of potential sites can be developed," to be one of the first tasks to be undertaken by the public authority as soon as this is put in place.

GOVERNMENT APPOINTMENTS

Mr Harris: I have a question for the Premier. Earlier this week he announced his new policy, I guess, with regard to appointments to agencies, boards and commissions. In announcing this policy, as I understand it, he plans to still proceed with the old way of making the patronage appointments to these various agencies, boards and commissions. The only thing I can see that he has done differently is that he plans to refer the appointments to a committee. The committee will receive these appointments after he has made his selection through the normal patronage process in the Premier's office, after you have—

Mr Sorbara: Have you got a good headline?

Mr Harris: Well, this is the way that party did it. If the Liberals are proud of that process, then keep interjecting.

Mr Elston: Don't let us take you off the point.

Mr Harris: They are distracting me and I understand it. Maybe they are not too proud of this process and I do not blame them.

After he has made the order-in-council appointment, he plans to refer it to a committee which will have no power to reverse the appointment, no power to reject the appointment, no power to make any recommendation as to a superior appointment. In light of that, can the Premier tell me what has changed in the way he plans to proceed with patronage appointments?

Hon Mr Rae: Well, I almost hate to break up the lovers' quarrel that we saw over there. I was enjoying it.

Mr Scott: Tell us your plan. Your plan is Mulroney's plan.

Mr Eves: How soon they forget; 1985 was a good year.

Hon Mr Rae: I have obviously touched a nerve.

Interjections.

Hon Mr Rae: All right, they do not like each other. Okay, I accept that.

In answer to the question, the member says, "What is different?" What is different are three elements, as I understand it.

The first thing that is different is that the distribution of information to the public is going to be far wider and far more sweeping than has ever been the case before. The decision to make a list available in every public library across the province in a form that is readable and accessible and available, that there is a standard application form that any citizen can say that he feels he is eligible has never been done before and I think it is an innovation.

The decision on our part to establish a committee that will have the responsibility of reviewing appointments and referring to them, judging them, questioning them in a very public forum again is something that has not happened before in this Legislative Assembly. It was recommended back in 1986 by a former committee of this House. It was not put into place by the party which is now in the official opposition, the Liberal Party. It was rejected by them and it is something which has not been put in place before.

The third thing which has been put in place is with respect to officers or appointments which are genuinely appointments of the Legislative Assembly as a whole. With respect to the future, there we are clearly establishing that the final recommendations of the committee, which will be a three-party committee in which all parties will be represented equally—equal representation from each party—will be empowered to choose, for example, the new Information and Privacy Commissioner and that decision will be final. It will not be reviewed by me because I regard that as a position that is genuinely independent.

These are three things that have not been done before. It may not be perfect, but it was not done by the Tory party when it was in power for 42 years and it was not done by the Liberal Party when it was in power for five years. I suggest we give it a chance and make it work.

Mr Conway: Mr Speaker, on a point of privilege: I am sure that the Premier inadvertently misled the House in not remembering that the Clerk of this assembly was appointed on recommendation of a standing committee of this House ably led by the member for Oshawa.

The Speaker: The member for Renfrew North, in raising his point of privilege, may wish to reconsider his phrasing.

Mr Conway: I said—and I do not think it gives any offence; I cannot imagine it would give any offence—having listened to the Premier, that he, in my view, inadvertently misled the House by not remembering in this place that the very distinguished Clerk of this assembly

was selected by a former standing committee of this Legislature ably led by the former NDP member for Oshawa. That is all.

Mr Harris: The Premier and his Liberal counterparts and some other government back 142 years can argue about what they did and what they did not do. What I am interested in is what the Premier and I have talked about for the last couple of years, what he and I talked about in the campaign, about truly demystifying, if he likes, and truly opening up and removing patronage from the appointments process. Now he is very proud of what he has proposed. I think the public will judge that not to be the case.

However, given that the Premier is proud of it, can he tell me why one of the most important commissions that his government has talked about in response to numerous questions from members from all sides of the House, the Fair Tax Commission, surely could be classified as an agency, board or commission?

Yesterday, in response to one of his own members, the member for Scarborough Centre, the Treasurer said: "I do not plan to play by the Premier's rules. I plan to proceed through some technicality because I am a minister of the crown. This is my own commission. It is not the Premier's commission. This is not the House's commission. I do not plan to follow those rules; I plan to proceed on my own, making my own decisions." Can the Premier explain to me, if he is so proud of the rules, why he allows the Treasurer to proceed that way with the Fair Tax Commission?

Hon Mr Rae: I want to be very careful in my response because I just want to say that I do not think the member's characterization of the exchange that took place yesterday is entirely fair or accurate. I can realize why the member is asking the question that he is.

I can say to the member that in my view, and I have discussed it with the Treasurer, I have absolutely no problem, and neither does the Treasurer, with the members of the Fair Tax Commission being referred to the committee. All he was saying, in response to the question, is that there are 5,000 positions in agency, boards and commissions. The practical question for the committee is going to be, how many members? How many of those nominations are going to be considered by the committee? To be fair to the Treasurer, I think that is in a sense what he was referring to in his answer.

1450

Interjections.

Hon Mr Rae: I can say to him—whenever I answer one of the questions of the leader of the third party he has difficulty taking yes for an answer, and I am giving him yes for an answer. He is asking me whether I think it is appropriate that the Fair Tax Commission should go to the committee. I am giving him a yes for an answer and I have no problem with that. If he is having difficulty accepting my answer, well, I am sorry, but I am giving him the best answer I can.

SKILLS TRAINING

Mr B. Ward: I think the energy level seems to be up in this House and I am looking forward to stimulating debate over the next nine hours that we sit in this House.

My question is to the Minister of Education. I am sure the minister is aware of the fact that the city of Brantford has been hammered by the economic recession that this country is facing, a recession caused by the federal Conservative Party's agenda to destroy this country. We all know that in an economic recession young people are hit particularly hard through lack of skills development, job opportunities or tenure on the job. My question is, what will the ministry do, what is this government doing to help young people acquire job skills and work experience in those skills?

Hon Mrs Boyd: In April 1990 the Ministry of Education took over the Futures program from the Ministry of Skills Development and that program has been very successful. In fact, the uptake by young people is a reflection of exactly the needs that the member has mentioned young people are experiencing. That program is in danger of running out of funds. Our ministry is taking action and hopes to make an announcement soon about increasing the funding for the Futures program, which is offered through the youth employment centres and the community colleges.

Mr B. Ward: I am pleased to see that the commitment is there to renew the Futures funding, because it was highly successful in the city of Brantford. Could the minister tell this House and the people of Brantford this time how much the funding would be?

Hon Mrs Boyd: The overall request is for \$6.85 million, of which \$1.85 million is to adjust the minimum wage. It is anticipated that we will be able to make an announcement that those needs will be fulfilled.

TRUCKING INDUSTRY

Mr Mancini: I have a question for the Minister of Transportation. The minister announced on 22 November that he would not proceed with the legislation introduced by the previous government to allow 53-foot trailers on highways here in Ontario. He made the decision in response to a public perception and was quoted in the media as saying: "I am not saying that the public perception is correct. I am simply saying that there is a perception."

On 26 November in this House the minister stated that it was not his intention to reintroduce the 53-foot trailers in this province despite fears of layoffs in the industry. Now we see that late last night, under the cover of darkness, the minister announced through a press release that he would be continuing the previous government's practice and issuing another 400 special permits for these trailers to operate. Why does the minister continue to avoid the Legislature for these important announcements, and can he explain his most recent actions?

Hon Mr Philip: What the member fails to indicate is that the bill his government introduced did two things: It lengthened trucks from 23 metres to 25 metres and it also provided for an open system of lengthening trailers from

48 feet to 53 feet. I told the Ontario Trucking Association that I was not prepared to move ahead with that legislation. My statement still holds. I have not moved ahead with that legislation. I do not intend to move ahead with that legislation.

What the former government also did, without consulting the Legislature and without bringing any legislation into this House, was to introduce an administrative procedure that would allow for permits for 53-foot trailers up to 2,000. So inept was the procedure they introduced that they provided for no system of monitoring who got those permits in any way whatsoever. Suddenly, on 15 November—

Mr Scott: Ed, go home and watch this on television tonight, please. This will on at about 10:15. Watch it, I pray. Don't miss this explanation.

Hon Mr Philip: I can see I hit a nerve with them. They do not like to hear about the ineptness of their system that I have had to try to correct.

Mr Mancini: I just want to inform the House that it was the NDP socialist government that approved the 650 applications to US firms.

Mr Bradley: How many?

Mr Mancini: It was 650.

The truckers of Ontario have started to refer to the minister as Ed Flip. I would say that judging from the minister's performance to date, he should be called Ed Flop.

On 26 November the minister refused to acknowledge impartial outside studies which clearly showed the safety-enhancing and the environmental and economic benefits of 53-foot trailers. He refused to acknowledge on that date that jobs would be lost because of his short-sighted decision and he failed to consult with the industry or anyone else that we know of.

Can the minister guarantee the House that the 400 new permits he is giving out will go to Ontario companies only? How does he expect Ontario truckers to compete on a level playing field when some are able to get these permits and others are not? How does he expect fair competition?

Hon Mr Philip: What the member wants is an open door, then, for longer trucks in this province and I say to him that is not what the public wants and that is not what this government is allowing.

On 15 November, under the former government's system, there were 625—

Mr Scott: Ed, your job doesn't depend on this answer. Get that straight first. No one gets fired over one answer.

Mrs Caplan: Did you have a lottery?

Hon Mr Philip: Am I going to be allowed to answer?

The Speaker: I am getting the feeling that folks are not really interested in a response.

Mrs Caplan: We are fascinated.

The Speaker: Then perhaps the fascination will be followed with silence. If members would like a response, then I would suggest we allow the minister to respond.

Hon Mr Philip: They obviously do not want an answer.

1500

HOSPITAL FINANCING

Mr Eves: I have a question of the Minister of Health. I am sure the minister is aware of the former government's capital commitments to many hospitals throughout this province. Is she in a position to tell us today whether she is prepared to deliver through on those commitments?

Hon Mrs Gigantes: The member might want to put a date on when the commitments were made. As the member is aware, there were commitments made in the 1986-87 period for capital construction in our Ontario hospitals which were then put under a hold in the period about a year ago, pending a review of the capital program in our hospitals.

All those projects are now under review. Some have been approved and are proceeding. Others have been combined with a health review of areas, for example, in North Bay and Windsor. Others still are going through a review where two hospitals may be deciding to rationalize services, such as in Sault Ste Marie. So there is a combination of systems of review that are going on. Some projects have gone ahead and others are still undergoing study at the local level, and review within the ministry and continuing discussions between the ministry and the hospitals involved.

Mr Eves: Review, study and consultation.

Mr Mahoney: And pay for it yourself.

Mr Eves: And pay for it yourself, in the case of the member down here.

The reason I asked the minister the question was that according to the Minister of Housing, her cabinet colleague, in an interview with the Windsor Star on 7 November of this year, he said, "Medical institutions that were promised money by the former government may have lost it when the Liberals lost the election."

There are some 73 public hospitals in the province of Ontario on the list supplied by her ministry that are awaiting funding for capital projects. Many of those hospitals, like the Willett Hospital in Paris, Ontario, St Joseph's in Guelph, Orillia Soldiers' Memorial, the Dufferin Area Hospital in Haliburton and many others, like all of these 73, have had local people who have raised money, volunteers who have gone out and raised money on behalf of their hospital expecting that these commitments to these 73 hospitals would be fulfilled.

Can the minister tell us today which of those 73 commitments will be fulfilled and which will not, especially in light of the fact that the Minister of Housing seems to know that a great deal of them will not be fulfilled at all because the Liberals lost the election?

Hon. Mr Cooke: I didn't say that, Ernie, and you know it.

Mr Eves: No, that is a quote.

Hon Mr Cooke: No, it is not a quote.

Mr Eves: I will send it over to you.

Hon Mr Cooke: I read it.

Mr Eves: It is very large.

Interjections.

Hon Mrs Gigantes: The Minister of Housing says behind me that it was a newspaper headline and I am sure the member would not like to suggest that he actually made that statement if it is simply a headline. Beyond that, we are proceeding in a methodical way to consult with the hospitals. It is a very important question the member raises. The plans that were undertaken by hospitals in the period of the mid and late 1980s were very large, major capital plans, many of them related to chronic care institutions.

Since that time, as the member knows, the long-term care task force was undertaken by the previous government. It will be continued by our government and we are hoping to develop facilities which are much more suitable for the kind of care that people need and the kind of care that is suitable, and that we know is suitable, in the 1990s rather than the kind of traditional hospitalization and institutionalization patterns which have been followed for 20 years previous to now.

[Later]

Mr Eves: On a point of order, Mr Speaker: I would like to rise to correct the record. The Minister of Housing was very disturbed at what I attributed to him a few moments ago in this House as a quote, so I want to read into the record exactly what the statement is in the Windsor Star so there is absolutely no doubt.

Hon Mr Laughren: It is not a point of order.

Hon Mr Philip: That is not a point of order.

Mr Eves: I am clarifying for the record. Do members want me to clarify the record or not? The quote that the honourable Minister of Housing made is: "If the previous government hasn't allocated the money, there is a problem. It's going to be impossible to deliver on every promise the previous government made." That was the quote. I am sorry, the one I read into the record was actually a statement in the Windsor Star.

RECREATION FOR DISABLED

Mr Malkowski: I have a question for the honourable Minister of Tourism and Recreation. Would the minister please advise the House about specific initiatives that have been developed that will enable the disabled community to be involved in recreational activities.

Hon Mr North: I am pleased to have an opportunity to speak to the House about this very important issue. I would like to make the member aware that our ministry is very aware of the plight of disabled people and of their abilities. I would like to inform the House that just recently I chaired the interprovincial meeting of sports ministers in Victoria and that under my chairmanship we reached a consensus to include disabled sports on an equal footing with able-bodied sports in 1993 and 1995 in the disabled games. I thank the member and I appreciate the question.

Mr Malkowski: I am very happy to hear that the minister is working with other ministries on a national level

and that we are aware of national activities, but what is happening here in our own backyard?

Hon Mr North: I am sure the member is aware that we support the Ontario Games for the Physically Disabled. I was pleased to show our continued support just recently in Hamilton where we announced that.

With respect to the Ontario games, I have instructed my staff to review the operations of those games and to provide me with recommendations on how we can integrate disabled activities.

The member will be pleased to know that I have asked my staff to meet with staff of the Ministry of Culture and Communications to discuss how we can involve disabled artists in the Ontario games for the physically disabled so that we can create a multisport celebration out of the event.

CHILD CARE

Mrs McLeod: I have a question for the Minister of Community and Social Services. Last week the minister was unable to provide us with a specific timetable for implementing 10,000 new child care spaces and 10,000 new subsidies that had been committed in the Agenda for People, so today I would like to raise another question of particular importance to child care advocates, and that is the adequacy of salaries for workers in the child care field.

In the speech from the throne, which I think we can assume perhaps carries a higher degree of commitment than the Agenda for People seems to carry, there was an indication that the government was promising early progress in redressing the unequal pay in areas such as child care. I wonder if the minister could tell us, in this situation, what is meant by "early progress." Could she confirm for us which is the priority for her government, access to additional child care spaces or dealing with inequitable salaries in the child care field?

Hon Mrs Akande: Actually, it is difficult to establish which of those two things is a priority. Both of them are a priority of this government. We have in fact begun discussions. We are actually at the end of that discussion and will be making an announcement in this House when we have finalized our plans.

1510

REPORT BY COMMITTEE

STANDING COMMITTEE ON REGULATIONS AND PRIVATE BILLS

Mr Sutherland from the standing committee on regulations and private bills presented the following report and moved its adoption:

Your committee begs to report the following bills without amendment:

Bill Pr9, An Act to revive the Restoule Snowmobile Club;

Bill Pr21, An Act respecting the City of Windsor;

Bill Pr22, An Act respecting Goderich-Exeter Railway Company Limited;

Bill Pr30, An Act respecting the City of Vanier;

Bill Pr32, An Act respecting the City of Toronto;

Bill Pr45, An Act to revive Lordina Limited;

Bill Pr48, An Act to revive La Capanna Homes (Non-Profit) Inc.

Motion agreed to.

ORDERS OF THE DAY

RETAIL SALES TAX AMENDMENT ACT, 1990

Resuming the adjourned debate on the motion for second reading of Bill 1, An Act to amend the Retail Sales Tax Act.

The Speaker: It is understood that we have completed debate on this item.

Motion agreed to.

Bill ordered for committee of the whole House.

ONTARIO LOAN ACT, 1990

LOI DE 1990 SUR LES EMPRUNTS DE L'ONTARIO

Mr Laughren moved second reading of Bill 9, An Act to authorize borrowing on the credit of the Consolidated Revenue Fund.

M. Laughren propose la deuxième lecture du projet de loi 9, Loi autorisant des emprunts garantis par le Trésor.

Hon Mr Laughren: Most members will understand that this loan act provides authority for the government to borrow up to \$5 billion. It is an amount that I will explain to members so they do not blanch at the thought of being responsible for borrowing that amount of money.

Members will know that the deficit for 1990-91 stands at \$2.5 billion. That accounts for half of the borrowing in this loan act. The other half of the borrowing is for 1991-92, and I should remind members as well that there is some retirement of existing debt that needs to be refinanced that makes up the total in 1991-92.

On top of the \$2.5 billion for 1990-91 there is almost \$700 million of debt that is maturing in this year. So if you add the \$2.5-billion debt for 1990-91 to the debt that is maturing of almost \$700 million, that comes to about \$3.2 billion, and the balance of the \$5 billion is for 1991-92.

I think that members should understand, and I think most of them will, that we need to do some borrowing, not just for the balance of 1990-91 but also for the first six months of 1991. It is traditional as well to borrow more than the precise number of dollars you need in order to allow for an orderly way in which to go to the market to raise additional funds so that if it is not appropriate—if, for example, there is upheaval in the Middle East—we would not have to go to the market at precisely the wrong time in order to get the best possible deal for the Ontario taxpayers when it comes to borrowing.

There is also for 1991-92, besides the anticipated debt for 1991-92, an arrangement for contingency as well. This particular Ontario Loan Act, 1990, will not allow us to borrow beyond the end of September 1991, so that following the budget in 1991, a budget which I hope will be brought down in April, it would be my plan to almost attach to that budget another loan act which would finance the expressed intentions of expenditures contained in that budget.

That is quite an ordinary way, a traditional way in which loan acts are brought in. Last year there was no loan act brought in with the budget because of course the Treasurer of the day did not anticipate a deficit and therefore any need to bring in a loan act at that time. But it is our intention to bring in a loan act following the budget in the spring of 1991. With that explanation I look forward to the debate which will inevitably follow.

The Acting Speaker (Ms Haslam): Questions and comments?

Mr Bradley: In addressing this particular bill, the Treasurer has brought to the attention of the House the fact that the government will be spending or wishes to spend at least some \$5 billion, or needs the funding to make those expenditures, and that it transcends the fiscal years that we are talking about and that the needs are well beyond.

The amount sounds like a good deal of money and certainly is a good deal of money. When you look at the operation of the province of Ontario, you recognize that our budget is well over \$40 billion at the present time. Part of that expenditure growth is a result of the demands on the system, the demands for services in the province of Ontario, and part of it is that the government has mentioned on a number of occasions, and others have mentioned, the fact that the anticipated federal transfers to the provinces are diminishing each year. Where the provincial government used to be able to count on a good percentage of funding from the federal government, it is now instituting caps on that funding.

That leaves the provincial government with one of three choices. The first is to increase taxes. The Treasurer is obviously going to be reluctant to increase taxes at a time when we are in a recessionary period and so justifiably would reject that particular option at least until his budget in April of next year. The second is to cut programs and once again in a recessionary period many people would not expect that the programs that would directly affect the budgetary expenditures of the province should in fact be cut back in any significant way. The third is that you must borrow and the choice that has been made is the choice to borrow in the anticipation that perhaps there will be some additional funding forthcoming.

I think I am in my speech and I was not aware that I am making comments on this. I am into my—

The Acting Speaker: We are on questions and comments.

Mr Bradley: Is that what that was? I have a long speech coming after. I was actually beginning my speech rather than questions and comments.

The Acting Speaker: Your time is up.

Mr Bradley: I wanted to ignore that particular thing because that is what got us into trouble in the first place with the last bill.

The Acting Speaker: Questions and comments? Debate?

Mr Bradley: I will simply continue my remarks on this particular bill because it is one which is important to the province and it does allow some latitude for members

of the Legislature. This is one place where the Chair has a mighty difficult time reining in the various members of the Legislature because so much can be talked about when one talks about the borrowing of some \$5 billion.

Allow me the opportunity then to get into a little bit of history which members of the Legislature would be interested in, the history of the need for borrowing in the province of Ontario. We would be aware that from the period of 1971, I believe it was, to 1988, the province of Ontario in fact ran deficits. This was somewhat of a departure from the usual practice: in the old days when we happened to have some budgetary surpluses—none of them were exceedingly large, but nevertheless they were budgetary surpluses—to a time when the former Treasurer was able in 1989 to bring in the first budgetary surplus since in the 1940s in the province of Ontario, something of which he was particularly proud. I think there was recognition on all sides that we were in good economic times.

1520

It is easier, everyone would concede that, to run a budgetary surplus. Indeed it is probably good fiscal management when there is a booming economy to run a budgetary surplus, a slight surplus; you do not want an excessive surplus. He was also able in fact for the first time in over 20 years to pay down the provincial debt. That is important to be able to do that.

This Treasurer does not have that option at this time because he faces a recessionary period in this country. We could go into the many reasons for the recession. I would attribute the major reason, as far as the domestic scene is concerned, to the high interest rate policy of the federal government, which is affecting all of the provinces and in particular the province of Ontario.

High interest rates, it is alleged by Sinclair Stevens, a former federal cabinet minister in the Mulroney government, might well be related. It is alleged by him that perhaps this was the unwritten part of the free trade agreement between the United States government and the Canadian government; that in fact they wanted to keep the dollar high, and to keep the Canadian dollar high it is necessary to have some high interest rates.

I indicated the other day in the House that one of the ramifications—first of all, those of us who represent automotive centres and those who represent other industrial centres in the province of Ontario which are very much needing exports to be successful, or want to produce for the domestic market for that matter, are reliant upon a competitive Canadian dollar so that imports do not become more attractive and that our exports are in fact attractive in the United States particularly and elsewhere in the world, but particularly when dealing with the United States.

I recall, for the members of the House who might not have been here on that day, talking to, I think it was, Great Lakes Pulp and Paper Co and asking one of the individuals there what it cost for one point on the dollar; in other words, if the dollar went from 82 cents to 83 cents US, what was the result. That individual revealed to me that it was some \$17 million in costs to that company. There are those of us who recognize that, in addition to a very skilled and dedicated workforce in the plants of the province of

Ontario, particularly in the city of St. Catharines with which I am familiar, that is one major factor in ensuring that we are competitive.

Another factor—and those who work in that milieu would certainly tell you; they are aware of it after the number of years—is that we have a competitive dollar, a dollar which is not increasing in relation to the US dollar. It is very attractive for those who choose to shop in the United States or to travel in the United States to see that dollar rise, but to those of us who represent communities which are reliant upon a competitive dollar, that is, a dollar which I would prefer to see below 80 cents as opposed to over 80 cents and we are seeing it at 85 cents, 86 cents and 87 cents, we are reliant upon that to make our industry competitive because others have other competitive factors that they use against us.

So we have a high interest rate policy which is causing difficulty for the people of this province and this country and that leaves a Treasurer in any one particular province with not too many options. The Treasurer in this province does not control the interest rates, regardless of who the Treasurer happens to be. That is controlled by the Bank of Canada and there is influence, of course, to be extended by the federal Minister of Finance.

We see the effect of those interest rates. That even affects the Ontario borrowing. When the Treasurer has to do his borrowing, he has to borrow in fact more money than he would like because he has to pay a higher interest rate. There is debt to be paid off.

One of the disadvantages of having been on the government side not long ago is that one can have some degree of sympathy with those who sit in that position, or at least understanding if not sympathy for those who sit in that position, such as the Treasurer and Deputy Premier of this province.

We saw a number of deficits. In fact, when this government came into power—this government being the government that is no longer in power and relinquished that on 1 October—the Liberal government, on 26 June 1985, in fact inherited in good economic times a \$2.6-billion deficit.

Now, one has to admire, because in politics one does admire the ability of some people to get their message across, how this government has—not the Treasurer himself, I might add. I give him some considerable credit. I watched his press conference and he did not dwell on the fact that he inherited any deficit or did not talk about any deception—but this government as a whole has been able to say somehow that it inherited an empty pot or something of that nature. Some people who should know better do not know better about these things and accept this holus-bolus, forgetting again that the Liberal government inherited a \$2.6-billion deficit, but had run a surplus the year before.

But the Treasurer is faced with what every Treasurer is faced with across this country. I think people have to understand that if they are going to be critical of him, he has to—and he is going to have to do it perhaps again—revise his predictions on what his net cash requirements will be because he is going to see some substantial increases in

such things as social assistance costs. That is inevitable when there is a declining economy. In addition to that, he is going to see a decline in revenues. He has already witnessed that. We have seen that happening. Businesses across this country are revising their figures. Every provincial Treasurer who made a prediction in a spring budget is now changing that prediction. The federal Minister of Finance has done the same.

So I would say that the Treasurer certainly is in need of these funds. I just hope that I can find some excellent ways in which he can use those funds to the advantage of the people of this province.

I want to indicate as well—I do not lecture the Treasurer, I simply share with him some experience as a member of the Management Board of Cabinet and the allocation process that he is becoming very familiar with and probably is quite immersed in at the present time, between the policy and priorities board of cabinet and the Management Board and I assume he sits on both or has some considerable control over both—that he would recognize that every ministry comes in with a wish list.

So not only are there the natural components of a deficit plus what he decided he was going to throw in—the previous Treasurer said everything but the kitchen sink. I do not know about whether the kitchen sink was included or not, but he included a lot of items in there. But what he is faced with as a Treasurer and as a member of Management Board of Cabinet is the fact that each of the ministries is coming in with a wish list. Were I a member of the civil service of the province of Ontario, seeing a new government coming into office, particularly a government which one would anticipate was going to be a spending government, as a senior civil servant, I certainly would be putting forward a number of desirable projects that I wish to see funded.

So it is the role and responsibility of the Treasurer of the province, as the chief guardian of the vault in this province—and the Chair of Management Board of Cabinet who sits in the House today, undertaking activities which are extremely important to everyone and which all of us will be participating in; I know she is listening very carefully to my suggestions on this regard—but the Chair of the Management Board of Cabinet and the Treasurer both will have to be unpopular people with their colleagues because all of these colleagues are going to be desirous of increased funds.

In fact, the Chair of the Management Board of Cabinet must be particularly diligent in dealing with the Minister of Government Services, who will want all kinds of money to undertake the activities that the Ministry of Government Services needs. Each of the ministries comes forward and puts forward a proposal for expenditures. One has to be mighty tough to sit on Management Board of Cabinet and ensure that one establishes priorities and that all of the extras that are thrown in are not accepted so that the budget gets way out of hand.

Now the Treasurer has indicated—I am sure at the prodding of the official opposition and the suggestion of the official opposition—that he embark upon some

significant capital expenditures. When he was in opposition, he was in favour of that, in fairness, as well.

In a recessionary period, it is wise for a government to make capital expenditures to accelerate projects which might have come along three or four years down the line and to make an investment in the province, because we see a falling off of investments, a falling off of expenditures by those in the private sector. So it seems to me it is good management of the economy to have that money invested by the public sector at that time.

1530

Second, it also allows for the government to be involved in putting in place an infrastructure which can then provide a basis for further economic development when the boom does come. There is all kinds of pressure then, when the boom comes, in terms of prices and availability of those to carry out those responsibilities.

So it is understandable. The Treasurer will not hear criticism from me for running a deficit during a period when we have a recession, because that is inevitable and he has to assist the people. The old way somebody suggested back in the 1930s of somehow cutting back drastically on public expenditures in a time of a recession is not wise in terms of ensuring that that recession is over in as short a time as possible.

Some of the predictions I have seen—I hope they are wrong—have been that the recession is going to be substantially deeper, substantially more extensive than many had suggested in the first place. That may or may not be the case. Even though those of us who sit in opposition of course like to see the government in a vulnerable light, for the sake of the province and the people of this province, we in fact do not want to see that happen. We would like to be able to criticize the government for other things in good times, to offer constructive suggestions rather than simply being critical for running a deficit.

The care, then, with which the Chair of the Management Board and the Treasurer approach the expenditure of government is going to be extremely important. I know they will not fund any frivolous programs. They will not fund those which are simply the hobby-horses of some ministers or some within government. They will want to look carefully and make wise investments in all of the appropriate things.

For instance, the Treasurer will know that were the Minister of Transportation and the members of cabinet and Management Board to approve the contract for the Port Weller Dry Docks to build the Pelee Island ferry, they would be helping a particular establishment which has gone from at one time more than 800 employees down to some 30 employees now. That kind of expenditure would be helpful to Hamilton, because no doubt Hamilton and Welland and other places that produce steel and some of the products that go into that ship would be helped by this. So I know I would receive the full support of those who are from the Hamilton district and all of the Niagara district, and of course those who used to live in St Catharines and near the Welland Canal would be very supportive of this as well.

If the minister were borrowing for that purpose, I would say he is borrowing for the right purpose. If they were borrowing to facilitate the movement of ministries to various parts of the province in the decentralization program, I would say that is a good expenditure. I would never criticize the Minister of Government Services or the Chair of Management Board for doing that, because that is a logical and good expenditure for the money that is being drawn.

Some would express concern with the fact that the government is asking for \$5 billion. I guess if one wants to be political about it, one can say that is not necessary, that somehow if one did not have that much money one is not going to spend it. I think reality dictates that the government is going to need that money until the revenues come in.

They also have to wait for the federal government. One of the things one usually finds out is that the federal government has more money coming in to one than one anticipates. Let's separate that from the transfer situation, the other programs where they play percentages. Rather, these are the revenues that come in from the federal government. Those often come in above what you anticipate. But also you see cutbacks in federal areas; off-loading is the word I am looking for, of the federal government on to the provinces. We had announced, for instance, a green plan by the federal government. What we will find out is that the implementation of that green plan will be done at the cost of provincial governments and municipal governments across this country.

I used to be mildly amused, although annoyed, when I would see federal ministers signing international agreements, in the United States particularly, on how they were going to save the two countries in the field of the environment, knowing the bill would be coming through the mail to the province of Ontario to implement it, with the municipalities shaking in their boots knowing they were going to pick up a substantial portion of that cost, while almost the entire credit would go to the senior level of government, that being the federal government.

The Treasurer can anticipate that there will be some costs as the green plan is implemented and that his government will have to assume some leadership in that area. Those who have served on municipal council—as I look around the room, there are a number of people who have served on municipal council—will know what it is like to have to undertake expensive projects. Municipalities have been in the forefront of dealing with environmental issues. They have had to put their money into major sewage treatment plants and water treatment plants and other activities designed to enhance the environment within this province.

When we look at the costs, when we look at the amount of money, \$5 billion, it is certainly considerable. I am sympathetic to the provincial government in that it is going to have to pay much higher interest rates than it should for the money it is borrowing because of the high interest rate policy of the federal government. But I would say that the Treasurer should be aware, as should the Chair of Management Board, that it will be the role and responsibility of the official opposition and the third party and

indeed members of the government itself to ensure that the money which is borrowed is spent in an appropriate fashion, in a careful fashion and in one which is going to produce the best possible results for the people of Ontario.

I wish the Treasurer the very best in this. He can anticipate that when he spends the money in a fashion we deem to be inappropriate or less than careful the opposition is going to call that to his attention. That is something he is no doubt looking forward to. He can also anticipate that we in the official opposition will be making suggestions on specifically where that money can be spent. So when a new CAT scanner is needed in the Niagara region we can certainly say that is a good place to spend it. If money is needed for the St Catharines General Hospital or the Hotel Dieu or the Shaver Hospital—I do not want to sound parochial; I am just using these as examples of places where careful and good expenditures can be made—he will know that we are supportive. But overall, we will look for those careful expenditures, for those pinpointed expenditures, where they can be most effective in bringing us out of this recession.

Mr Stockwell: I suppose this is the first of many borrowing bills we will see coming forward from the Treasurer and the NDP government in the next five years. This is probably the first of many debates that will clearly define the philosophical differences between the Conservative Party of Ontario and probably those of the Liberal and New Democratic parties.

Hon Mr Laughren: I hope so.

Mr Stockwell: The Treasurer hopes so. He does not need to hope. It is very clear.

I suppose it is going to be the first of many billions that will be piled upon the future debt of everybody living in this province, and I think it is going to be interesting to see exactly how this will wash through the system. I think the most interesting thing will be exactly how much debt this province will have two years from today, three years from today, exactly how closely the Treasurer will live within the guidelines he set down when he outlined his economic statement. A few of the phrases that caught my attention were “not significantly increasing the debt,” “you cannot spend your way out of a recession,” and so on. Those are the kinds of things I think Ontario needs today.

Clearly, over the past five years at least, there were philosophical differences with respect to spending. Yes, to a degree the Liberals did spend considerably more than I found to be acceptable. They did do some good things with that money. A tremendous amount of money was wasted because it was government. The fact is that government is basically inefficient and costly, and when you spend a buck in government it does not go nearly as far as the buck that was spent in the private sector. Whether you like it or not, I think it is a fact we all accept. Certain private sector operations the government would look down on; and I can understand that as well.

1540

The \$5 billion we are talking about today we will outline again. When we had our motion on the paper for the debate two weeks ago with respect to a fiscal policy to

look forward to, we understood the philosophical differences at that time.

I guess the basic, fundamental flaw I see in the Liberal and NDP arguments is that we can somehow spend our way out of a recession, expend taxpayers' money to limit a recession, limit its length, its impact and how deep it will run. In my personal opinion, that is seriously flawed logic. At best, the government of the day, no matter how much money it spends, will be working on the margin of the economy in the province.

The suggestion has been made a couple of times across the floor that this is a made-in-Canada recession, which is laughable. I can just see the people in Greece complaining about Brian Mulroney and his made-in-Canada recession. It is just not a fact of life. This is a worldwide recession, a recession that all industrialized nations are in at this time. In fact, they have higher interest rates in most countries, and this recession is being felt, its fullest effect, on all people not just the people of Ontario.

To think through some kind of misguided logic that with some \$700-million plan they are going to spend their way out of a recession is just not sensible. It is not sensible at all. It is not going to make a blip in the economic forecast, it is not going to make a blip in the unemployment rates and so on in this province.

The sooner we accept that, the better off we will be. The suggestion is made by the critic from the Liberal Party that a lot of spending will jump-start us out of this recession. Again, I think that is a philosophical difference we have with the Liberals and the NDP. They are not going to jump-start themselves out of a recession. If they feel that through some kind of slush fund, contingency fund, we can spend more money jump-starting the economy, they are working in the margins. The fact of life is that governments, particularly provincial governments, are working in the margins when it comes to jump-starting the economy, and they are not going to do it.

If they want to pretend they can do it, that is one thing. If they want to have numbers they can throw out to the people of the province and say, “Gee, we did this, gee, we did that, and so on and so forth,” it might be palatable. They may swallow it. They swallowed Agenda for People, so they may swallow anything. They may buy that theory, but the reality of the situation is that with hundreds of billions of dollars in production within the province, \$700 million is literally a drop in the ocean; probably \$5 billion is a drop in the ocean. I do not think there is enough money they could tax them for, even in their wildest dreams, that would make the blip people would need to take hold of this economic recession.

I suppose, too, the philosophical differences also enter into the debate with respect to private sector and government. When it comes to a recession, the government really does not feel the recession; everyone comes to work who works for the government, everyone gets paid, everyone receives his cheque and all those things continue to happen. It is a recession; the word is there, but it never really hits home for anyone who works for the government because nobody loses his job. The old adage is very accurate in this one: “A recession is when your neighbour loses his

job, and a depression is when you lose your job." The problem with the government is that we are constantly in a recession because nobody in government ever gets displaced or loses his job.

When I analyse the attitude of private sector operations and government operations, they are very different. What makes them different is that when recessions happen—and we can go back to 1981-82, even into the early 1970s—a purging process takes place in the private sector: "Maybe we've got a little fat. Maybe there are areas where we can cut back. Maybe there are programs we need to reduce." Because of course they have—and I know a lot of members over there would consider it a dirty phrase—that bottom line. That is one specific that is only applied to the private sector.

Although there are many lovely debates and statements and speeches about a recession, the fact is that anyone in this room, and anyone who works for the government of Ontario, really does not have to deal with the recession. The bottom line is that the private sector deals with the recession through layoffs, job losses, reductions, etc. According to this government—and it is stated; I think the Treasurer has been very clear—we are not even looking to reductions, we are not even looking to layoffs, etc. They are looking at jump-starting the economy, spending more money.

I think that is a clear signal that when a recession hits it does not hit here; it hits out there. When they lose their jobs out there, that is when the people feel the impact.

At least some of the \$5 billion we borrow today, I believe a considerable amount of it, will be used to jump-start the economy, or phrases such as that. They believe it will help. This is where the philosophical difference comes into play. I think the government would be far better off chopping a whole bunch of money out of its budget and reducing the provincial sales tax by 4%. That would have a far greater impact on the economy. I think it would have a far greater impact on spending habits and on the cash flow throughout the province. It would be far more effective. I also believe it is far more effective if the private sector tries to jump-start its way out of the recession, because I do not think governments can, particularly provincial governments; clearly, municipal governments are in the same boat.

I guess this will be the first bill in a series of borrowing bills which will outline our philosophical differences. That is good. That is the democratic process and those are the things that should happen. When you elect NDP governments, these are the kinds of things that happen. I guess that is what the people liked and wanted and I suppose that is what they are going to get. Personally, it is not my idea, and being in the private sector world I know right now that we have gone through reductions in staff and reductions in operations. When you own businesses, you are in the private sector world, and you have to lay people off. That has happened in a number of businesses; I have had to do exactly that.

Here are the philosophical differences that will come. I think it is good to have these stated up front on the first

\$5 billion that the government is going to borrow—which is kind of an interesting statement: the first \$5 billion.

I also believe, contrary to the Liberal critic's statement, that there is only one way to stop governments from spending. It is another approach that I think most in this province would agree with. The only way to stop governments from spending is not to give them the money, because once they get the money it burns a hole in their pocket so wide that they cannot wait to get rid of it. It is clear that during a boom economy we increased the debt by \$10 billion, etc. That was a boom economy, a time when we had a tremendous influx of money. At that time, we still had a government insisting on spending incredible sums of money. I disagree with the critic from the Liberal Party and probably the Treasurer. The best way to stop governments from spending is not to give them the money in the first place, because once they have it you know they are going to spend it. It would seem clear to me, with this borrowing and itemization of the amounts the Treasurer has outlined in his statement to the House today, that you could probably discount the Agenda for People as well. Clearly, we have some discrepancies with respect to how much money the Agenda for People will cost. Those numbers are serious in difference. I calculate mine over five years and I come to around \$14 billion. They calculate theirs over a couple of years and I think they came in at \$2 billion or \$3 billion. But there is a difference of opinion.

I think with this first borrowing bill and the \$700 million they spent on jump-starting the economy you can pretty well assure yourself that the bulk of the promises made by this government during the election period are going by the boards. The Agenda for People may jump-start the economy itself, because it could be the biggest revenue producer for the paper-shredder companies. It appears to be the only one that is going to have any benefit from the government that has taken over.

1550

I guess the debate is whether or not you agree with the \$5 billion being borrowed. Clearly there is a need. Clearly the \$2.5-billion deficit enters into it and I think if the Treasurer were being honest today he would agree that there is going to be greater than \$2.5 billion in the deficit account at the end of next year. I have come to the conclusion that that in fact is going to happen. Even though I read his economic statement and he suggested that he wants to maintain that level, there is no way, in my opinion, if they are going to carry forward on some of these concerns and promises, that he has any prayer of maintaining a \$2.5-billion deficit. It is going to get higher.

The argument was also made with respect to transfer payments. Transfer payments is a debate in which it depends on whose ox is being gored and what position you take on transfer payments. If it is a provincial government arguing with a federal government, it feels that it is being ripped off in no uncertain terms by agreements and details and it is upset because the federal transfer payments are being reduced, and the federal government says: "Oh, no, it's not. This is just sensible economic practice and, you know, you've got to learn to get by in tough times."

If it is the provincial government cutting off the municipalities, well, son of a gun, there are the municipalities that went to Hansard and read all the provincial government's arguments when they got cut back, and it is saying the exact same things. Lo and behold, I think you are going to hear this provincial government make the same argument the federal government made when it cut the transfer payments to municipalities, and mark my words, unless it has a pot of money stashed somewhere, the municipalities are going to be very, very disappointed with respect to their transfer payments.

We have already heard numbers. Hospitals in fact have outlined their concerns and education has outlined its concerns and you can only stretch a buck so far. This government has not got enough bucks to stretch, so somebody is going to have some problems. This government will be the first to stand up and start defending its transfer payment policy and, on the other side of its mouth, argue with the federal government about cutting them off.

So those are some other concerns I think you are going to see with respect to the financing, the economic impact, the economic statements that this government will make over the next few years. Again, I guess it comes back to the difference of opinion between our counterparts on this side of the House, the Liberals, and the government in power, the New Democrats. We philosophically, I suppose, do not agree with the way they approach the economics of this province, and it seems to me that they are very close in their ideology with respect to spending our way out of a recession and with respect to borrowing and so on and so forth.

An hon member: You voted with them.

Mr Stockwell: We voted with them to extend the sitting of the House, the honourable member would suggest. Imagine that; we voted to work longer. Gee, was that not awful? The only ones who did not vote to work longer were the Liberals, so it is an interesting comment he makes.

If we continue on with the debate on the \$5 billion, the argument that will in fact be made in the future will be, there are only three ways to generate revenue. In fact, I have heard the Treasurer make that statement in the past. There are the revenues, deficit and so on and so forth and increased taxes. I think we are going to see a little bit of everything, and I think this is just the first piece of legislation, the first bill that indicates just that. I think the people in this province are going to have to get used to a little bit of everything. That means on the debt side it is your right pocket; on the tax increase side it is your left pocket, and when they run out of money and they are going to have to figure out a new way to generate it, it will be your hip pocket. So I think we are going to have to grow accustomed to this attitude towards government spending. As I said, it is the democratic process. The people get the governments they deserve and it appears they deserve the government they get.

In conclusion, \$5 billion is a considerable amount of money. I understand that there are needs to be met and bills to be paid. I still wish that we could re-examine the

philosophical differences that we had a few weeks ago. I still believe, and I think our party still believes, that before we go ahead and discuss any further spending, and before we go ahead and discuss any jump-starting of the economy, and before we go ahead and discuss any more borrowing, the most important thing that this government can do is examine the costs that have been incurred over the past 5 or 10 years and really examine its capacity to cut out the fat, because I will tell you, Madam Speaker, there is an incredible amount of fat in this level of government.

There is a tremendous amount of wasted money, there are a tremendous number of employees who are not needed, there are a tremendous number of employees who are in fact not working.

Mrs Sullivan: Where?

Mr Stockwell: The member can ask where. I can point her to almost any building and walk her through it and almost point, without any difficulty, to people the government could do away with.

Mrs Sullivan: Tell us.

Mr Stockwell: If the member is so naïve to believe that this statement is not true, then we are never going to ever get to come to an agreement with respect to whether there is a cutback or not. The fact of the matter is I believe the people in this province would agree. And if anyone has been to certain government buildings, Ministry of Transportation, any of these government buildings, and can honestly look any taxpayer in the face and say every one of these people is necessary and every one of these people is important and if we did not have them they would not carry out the job properly, I think he is kidding himself, he is kidding his constituents, and most of all, he is kidding the people in this House.

We all know the fat is there, and I think before we talk any more about borrowing, it would be very important for the Treasurer to review the costs, review the expenditures, read the Provincial Auditor's statement and come back with some major reductions in areas that probably could fund a lot of these programs.

In my opinion, if the Treasurer really took a hard line on the cost implications to this province and took a hard line to cut out the fat—the weight watchers would get rich cutting out the fat in this place—if he took a hard line look at it, he would find so much fat that you could probably institute the Agenda for People and not cost the taxpayers a nickel.

In my opinion, before he goes borrowing, before he looks at new tax resources, before he even re-analyses the tax system, it would be far more beneficial to the people of this province if he analysed his spending, because in the private sector, when recession times hit, the only really controllable item is spending. You cannot drag people in off the street to buy your product. The only thing you can do is reduce your spending. If governments were reacting in the same fashion when we have a recession, they would review their spending. I do not see that as a commitment. Frankly, I am not surprised the Liberals disagree, considering their spending habits in the past five years.

Mr Ruprecht: I listened to the comments of the member for Etobicoke West carefully and I appreciated what he indicated. He had said to the Treasurer, who is in this House today listening very carefully, I understand, that the question really is whether the government can jump-start the economy or whether the private sector can. I suppose as Liberals we could be of some help to both of these parties.

On the one hand, the Treasurer might think that the economy can be jump-started, and there is much he can do, of course, to help out, but I would caution him very much and I would ask him to consider that it is the private sector that will essentially and necessarily have to get activated, either with this government's help or without it, in order to make necessary economic changes that we need in this country to get back on top.

To the Conservative Party, as the member from Etobicoke West indicated, the private sector is a very important aspect of jump-starting the economy, but I could say that we as Liberals would appreciate it if both these aspects could be integrated. We need both. We need government help and we certainly need the private sector.

I would very much appreciate it if the Treasurer would take that into consideration when he thinks about his new economic plan for the future of this province.

Mr McLean: I just want to compliment, for a minute, the member for Etobicoke West on his remarks. I want to tell the member that some time ago, back in about 1976, the then Chairman of Management Board of Cabinet indicated that there was a program in place whereby they would cut the civil service from about 84,000 to approximately 76,000. That took place over a period of about six years. Since the Liberals came to power it went back up and it is close to 90,000 now.

1600

When we looked at the estimates, we looked at the budgetary policies of the government and we looked at administration within every ministry. In some cases, some of those ministries had indicated their administration and head office, mainly head office, by some 150% to 200%. So when my colleague mentions cutting some fat, I believe there is some there to cut. Those were people who were hired by the government of the time to implement programs and put its agenda forward. I am sure that many of those people are still around, not knowing what the agenda is today.

I am saying to the Treasurer that I believe there is room to cut. If he looks at the estimates over the last five years, all the administration in ministers' head offices, he will find increases. One, I know, was a 300% increase. So I believe what my colleague is speaking about. There is fat there, and I ask the Treasurer to look into that. I also compliment the member on his remarks.

Mr Stockwell: I thank the member for the kind words.

I would also like to respond to the member for Parkdale's comments with respect to working together. I also believe there is an amount of working together, for lack of a better word, between the private sector and

government. I guess the real difference, though, comes in my position of working together. Most businesses that I talk to, including my own—boy, am I ever clear when I talk—are suggesting the best way the government could help them is reduction in taxes, a reduction in all the complicated processing it takes to file certain tax forms and processes. When it gets down to the bottom line, I think the private sector is fully prepared to work its way out of this recession.

Nobody likes to lay people off. There is no joy in boardrooms when you have to lay people off. It is a sad statement on the economic times. But when the private sector calls for help—my friend, the member for Parkdale will know this—I think the private sector is suggesting to the government: "You've got to give us a break. You've got to stop taxing us to death. You've got to stop forcing us into these complicated processes, these filing processes that in fact take up a tremendous amount of time and a tremendous amount of resource."

The best thing the government can do, I believe, to help this economy get restarted, obviously, is reduce taxes, thereby allowing more disposable income within the private sector, more money left to hire, more money left to in fact produce better products and create a better economic stability in the province.

The only thing I could suggest is that in all the studies that I have seen, this particular province in North America has in fact been taxed at one of the highest levels. I think it would be very helpful if we could draw ourselves down at least into the middle. It would certainly create, I think, better job opportunities and more businesses. The bankruptcies are a perfect example of that.

Mr Christopherson: I have a few brief remarks. I think that most of us in this House recognize that this is an extremely difficult time for our province, as we are in the midst of a serious recession that has the potential to get much more serious.

We are also facing increasing demands that have been placed on this government and the previous government for a number of years now. The health care system, the education system, the environment, our transportation needs, the increasing costs to municipalities: these are all very legitimate demands that have been placed on these governments. With a new government finding itself in a recessionary time, I think that I am hearing a fair amount of agreement that it is appropriate that the provincial government step in to ensure that as much as we can do is being done.

What I am hearing from a very small minority is that we ought to follow the example of the federal government and that we ought to be cutting back on government expenditures and paying absolutely no heed to the damage that it might do in the case of the federal government, to the institutions that hold Canada together and, in this case, to the real people of this province who would be hurt by such draconian measures.

It is interesting to hear the member for Etobicoke West talk about the Treasurer's antirecessionary package, particularly the \$700 million, and sit back and think of the possibility of that member or any other member going

back to his local media, if there are any of these dollars that find themselves in that locale, helping the municipality, helping schools, helping infrastructure, helping real people, and in that situation saying to the local media and the people in his own riding: "The provincial government shouldn't have done this. It's wrong that this money is being invested in my community. It's wrong that this money is being invested in the infrastructure of my municipality." That is not likely to happen.

I am also hearing what sounds to me very much like the voodoo economics that Ronald Reagan and Margaret Thatcher propagated throughout the 1980s during boom times. We saw the devastation that that wrought upon real people—real people, working people who were hurt because of supply-side, trickle-down theories that helped a very small amount of people to a great degree, but hurt a great number of people to a much larger degree.

I think that this government has moved in exactly the right direction and to the right degree that it should. I heard the member for Parkdale talk about the need for partnerships. This government embraces that concept. Again, with all the ridicule we hear from the third party, and from the official opposition from time to time, about going down to Wall Street and what that might mean and the characterization of it, the reality is that that was to send out the very message the member for Parkdale spoke of today: to tell the business community that we do recognize the need for partnerships, that business need not fear this government, that we will work with all sectors of our province to ensure that, first of all, we fight the recession as best we can and, second, that we are in the best possible position to respond when we begin to come out of the recession.

While we have heard Chicken Little suggest that the sky is falling because of this borrowing, indeed—to enjoin some of the thinking of a previous speaker—to do some history, we see that in the early 1980s, again when we were heading into a recession, we had borrowing that was the highest of the decade, under the Tory government.

Why, you would ask, Madam Speaker? That would be an excellent question. Why? Because it made a great deal of sense to ensure that the economy of this province was as strong as it could be to face an uncertain future. That is exactly what has been done here. There is nothing out of the ordinary in the actions of the Treasurer today. Indeed, if one takes it in the context of our times, it is probably not unlike a measure any other government would take if it truly cared about the people who are being hurt by this recession.

That is the priority facing us and this is a necessary tool to ensure that we can be in as strong a position as is possible. I am glad to see that the Treasurer has brought this in in the fashion that he has, and it has been my pleasure to speak today.

Mr Ruprecht: The member for Hamilton Centre has been very eloquent in his remarks when he says that this new government of the NDP is looking for partnership. I would think that all of us very much appreciate and applaud this kind of sentiment. But the member for Hamilton Centre will also recognize that on the one hand, the government says, "Let's be partners," and on the other

hand or out of the same mouth, comes a totally different message. I ask the Treasurer what the message is. The message is the retroactive legislation centring out one group of people who could make what I would term, and what the member understands to be, a significant impact and contribution to the economic wellbeing of Ontario.

1610

Yet the member determines to centre that whole segment of our population out. That to me, the member for Hamilton Centre will understand, is not co-operation, compromise and partnership. What I see happening here is confrontation and that is my second point.

If this government really wants to get into a partnership, the member should not seek to confront. The member for Etobicoke West, I think, is to some degree right on when he says, "Let's look at this partnership and let's do one thing for the business of this country, namely, reduce taxes."

I would ask the Treasurer, with the consent of the member for Hamilton Centre, what is wrong with the Treasurer simply reducing taxes for the business community. That would send out a signal right across this country, and to New York where some of the money comes from, and to all the people, and they would say, "Let's get back to Ontario because that government understands us and wishes to be a partner."

Mr Stockwell: You got into bed with them, not us.

Mr Turnbull: I will just settle down the member in front of me.

I stand for the first time to speak extemporaneously in this chamber. All of my colleagues on all benches will understand how difficult it is to focus your thoughts when you stand for the first time in this way. But I want to make a comment that has been made in heckling and in speeches by both the gentlemen on the Liberal benches and certainly the Conservative benches. The NDP may have many estimable members, but they do not have a corner on concern for people.

I want this to be very clearly understood. Probably the thing that more than anything else led me to run in this last election—I had never been in politics ever before and I am not used to speaking publicly—nevertheless, I will focus on the reason that I ran, and that is my concern for what is happening in this province and, to a great extent, also in the country.

We have to come to the realization, and this applies to all parties, that to the extent that we do not pay our way, any deficit is just deferred taxes, taxes which we are heaping on to the backs of children.

We recognize that we are in a recession and we know that the government will have to borrow in order to meet its needs. That is not the thrust of what we are debating. We accept that, but the government should be very careful as to how it borrows. This money should be carefully spent, and indeed we can see from examples of the Minister of Housing that it is not being carefully spent.

Mr Christopherson: I will just briefly respond to the comments, the last comment first. The member for York Mills talked about us having the corner on concern. That

certainly was not what I was trying to project and I do not believe it is what my colleagues are trying to project. However, what we are saying is that the philosophical differences talked about by the honourable member for Etobicoke West in our opinion do lead to a choice between who benefits by those measures and who does not. We believe that the kind of measures suggested by the member's finance critic would lead to average, ordinary working people being hurt the most, and that probably is our philosophical difference.

It is also important, I think—the member for Parkdale talked about partnership—let's keep in mind that the bill that was passed earlier today had two major components to it that also talk to the issue raised by the member for York Mills. One of them is the fact that there was a \$22-million offset to vendors, a compensation to vendors, and that compensation, as I understand it, is meant to alleviate some of the costs that will be incurred by small business due to the introduction of the GST. That is our measure; that was a measure we left in place.

The second thing is that when we talk about tax expenditures, rather than a tax expenditure again to business that the member for York Mills talked about, what we have said is that any tax reduction that we will do in the first days of this new government will go to the people it will help the most. That, again, was passed today unanimously; that half a billion dollars is in the pockets of the people who need it the most and will help stimulate the economy the most.

Mr Conway: There is an old maxim in British parliamentary government: "No supply without a redress of grievance." I recognize that this is not supply per se, but the loan act, entitling as it does our honourable friend the member for Nickel Belt to borrow in Her Majesty's name up to \$5 billion over this fiscal year and part of next, is certainly going to be an important instrument to feed the supply machine that will keep him and his happy colleagues in business.

I must say the debate of the last hour or so has been interesting. I regret I did not hear the honourable Treasurer's introductory remarks, although I did catch some as I re-entered the chamber. It has been interesting listening to people talk.

I found the member for Etobicoke West quite interesting. I think we have ourselves—I say to my friend the member for Nickel Belt—Eddie Sargent, Mickey Hennessey and Morty Shulman all wrapped in one person. I think we are going to be entertained to some considerable extent over the next four years and six months by the honourable member for Etobicoke West, who I would only make this observation to:

When I was first elected in 1975, which seems like a long time ago and which I think would be recalled by many as happy times, prosperous times, the first budget that I encountered here was brought down by—I think my friend the member for Nickel Belt would agree—one of the ablest of the Tories ever to serve here in his time and in mine, the Duke of Kent, William Darcy McKeough.

That budget—when I think of it now, I say to the Treasurer—had an expenditure base of something like

\$12 billion, \$12 billion to \$13 billion, and the deficit that the tough-minded, right-wing Duke of Kent was offering on that \$12-billion base was, I think, \$2 billion. In other words, 15 years ago we were running a \$2-billion deficit on a \$12-billion to \$13-billion expenditure plan.

Mr Bradley: Under a Tory government.

Mr Conway: Under a Tory government. That seems incredible when I think of it now. We would consider then, by current terms, an \$8-billion deficit to be somehow acceptable. I think my friend the member for Nickel Belt would not accept, nor would I, an \$8-billion deficit on a \$44-billion expenditure plan to be very reasonable. But when I think of it, a \$2-billion deficit 15 years ago on a \$12-billion to \$13-billion budgetary plan is really a remarkable bit of history, I would say to my friend the member for Etobicoke West.

1620

Someone mentioned 1981. I think it was the member for Hamilton Centre. My voluble friend the member for St Catharines was observing parenthetically that in 1981, of course, the government got itself into some trouble immediately upon its return to majority status by committing hundreds of millions of dollars that it did not have at the time to buy a significant interest in Suncor and something about a couple of aircraft. I do not remember those aircraft. I am reminded, though, that in 1981 the new government undertook some very significant borrowing to give effect to a couple of expenditures that I do not remember were widely advertised in the electoral contest of February-March of that year.

Again, to perhaps just make an observation about something my friend the member for Etobicoke West observed, he talked about fat. He talked about the ability, almost with a kind of joyfulness that one does not associate in this connection—

Hon Mr Laughren: He was drooling.

Mr Conway: The Treasurer said he was drooling as he talked about cutting the fat. My friend the Treasurer will remember that happy time a decade or so ago when the late great Maxwell Henderson produced, again at Darcy McKeough's behest, a government reduction plan that did not have very many friends around. My friend from Etobicoke, who I know has quite a record in terms of expenditure and expenditure restraint, would I think admit privately if not publicly that it is rather more difficult to cut these expenditures than the rhetoric would sometimes suggest.

Like my colleagues, I will be supporting Bill 9. I think the Treasurer certainly should be supported in this connection.

Hon Mr Laughren: As in all other matters.

Mr Conway: I want to support the Treasurer for a variety of reasons. He is a very good fellow. He is smart, he is experienced, he is very able and he has had a bit of a tough time, everything from being reprimanded a bit yesterday by the leader of the government for an answer given on the Fair Tax Commission and its membership, a matter that was clarified today in an exchange with the leader of the third party.

I have felt for the Treasurer in two or three cases since his accession to the Treasury bench. What he must have felt like that day when the Varsity deal was finally consummated; what he must have felt like that day when the British Gas takeover of Consumers Gas was approved. It could not have been easy.

There was a time, Mr Speaker, before you arrived here in December 1983, when our friend the member for Nickel Belt was the most passionate ideologue in the New Democratic Party. I tell you, he has had to put some water in his wine in the last few months. He says that he is still doing it. I want to support him on Bill 9 because he has had some tough days lately but they are as nothing compared to what awaits him over the coming few months.

One of the reasons I wanted to talk a little bit about the issues related to Bill 9 is what I know the honourable Treasurer has to confront shortly after Christmas. We are not going to be in session apparently to talk about it then, so I thought I might take a few moments today. I want to talk about it a little today because he is going to need this money to help, among other things, with his transfer payment announcements, which I expect will probably come about the second or third week of January.

I just want to wish him well in that. I hope he and his colleagues have a good rest over Christmas because I have a feeling that the morning after or the evening of it is going to be a new experience for my friends opposite, whether in Scarborough or in Lambton or in Cochrane—

Hon Mrs Gigantes: Don't be patronizing, Sean.

Mr Conway: I am not being patronizing. I want to say to my friend the Minister of Health that it is going to be a new experience and I say to my friend opposite that Bill 9, I presume, in part will assist the Treasurer and his colleagues as they go about the very difficult business that that particular announcement is going to involve.

What my friends may not realize is that two thirds of the Ontario budget—and that really is irrespective of whatever the bottom budget line is—is appropriated to three departments: the Ministry of Health, the Ministry of Education and the Ministry of Social and Community Services.

Hon Mrs Gigantes: Oh, you think we haven't noticed? Patronizing.

Mr Conway: I am sure the Minister of Health notices this. I would invite the Minister of Health to be just a little more tolerant and perhaps a little more generous. I know we go back a long way and I have been trying to restrain myself, I think with admirable effect, over the last few weeks. I would have thought my example might have encouraged her to do something of the same.

Hon Mrs Gigantes: That is patronizing and I do—

Hon Mr Laughren: That hasn't rubbed off on all your colleagues, though.

Mr Conway: Well, listen, I tell the member it is adding years to my life over here to do this and I hope that my friend the member for Nickel Belt will at least give me some credit for trying.

The interesting thing about Bill 9 of course, as it relates to the transfer payment business, and I repeat, two thirds

of this budget will go to those three departmental appropriations, and it is in those areas that my honourable friends opposite have made some very significant commitments. What they have not said by way of what they are going to do to assist nurses and hospital workers and other support staff in schools, homes for the aged and other agencies in those three areas of this government's ambit is hard for me to convey in the time provided this afternoon.

I will be very interested to see how, for example, the Minister of Health is going to take the appropriation provided in the third week of January and satisfy the nurses, the hospital workers and all of those other wonderful men and women who make up those institutions, who will be expecting and in some cases who will have been told by an arbitrator what their entitlement is going to be. We will all be watching to see how in Prince Edward county, in Niagara Falls, in Haliburton and in London these various commitments are going to be kept because they were honourably made, and I say that most sincerely.

I know the Treasurer is going to want in the coming weeks to give effect to those commitments. When I look, for example, as I will in a moment, at An Agenda for People and think about a minimalist interpretation of what some of those commitments are, when I read the eastern Ontario press and see, for example, what hospitals in Cornwall, Kingston, Ottawa, Pembroke, Renfrew and Brockville are saying about their in-year deficit pressure, in many cases caused by circumstances quite beyond their control, this is not some great institutional cry for more money. These are nurses, nursing assistant, orderlies and other support staff who, the member for Niagara South will know very well, are expecting what they have been promised or what has been arbitrated.

In the third week of January we are apparently going to see what the colour of the 1991-92 commitment is going to be. I really begin to wonder whether the \$5 billion provided for in Bill 9 is going to start fulfilling that commitment. The government of the day has, for example, promised school boards that in very early days in this mandate, they will be moving to 60% funding, and I see that in An Agenda for People there is a conservative estimate of what that commitment is going to entail.

I cannot imagine but that down in Stormont, Dundas and Glengarry, Joe Gunn and others are going to be looking at this and saying, "Well now, this is the first opportunity," and the move to 60%—which is going to be staged, it is not going to be overnight, we all understand that. But I look at An Agenda for People and I see some of the first-year costs and they run into the hundreds of millions of dollars. My estimate is they will mature at four or five years at about—I will not even cite that figure, but it is into the billions and that is built into the base. That is not one-time funding; that is base funding.

My friend the Chair of Management Board will know what that means. I would hope that all of the members of the Legislature will share with me our support and our sympathy for the Treasurer and his colleague in these matters, the Chair of Management Board, who are going to have to square this circle over the course of the next five weeks. I know the member for Nickel Belt has Merlin-like

qualities, and if anyone can do this I am sure he can. But as we look at a number of the commitments that have been made, I have to ask myself and I would ask the Treasurer, I suppose, how much of this \$5 billion we can expect, for example, will be appropriated—where shall I start?

1630

Mrs McLeod: The Futures program.

Mr Conway: The Futures program today is perhaps a very good example, my colleague the member for Fort William mentions. The member for Brantford I thought quite eloquently pointed out the difficulties the program is currently experiencing. I thought the Minister of Education gave quite a good answer and she is being very candid. That is really a ball that bounces directly into the Treasurer's court: What is he going to do about maintaining the funding for that program?

As a member from eastern Ontario, and I know I speak for the Deputy Speaker in this respect, farmers in Dundas county and in Renfrew are going to expect that some of this \$5 billion that we are going to vote approval for in Bill 9, I hope today, is going to begin the process of this new government's interest rate relief for the very strapped farmers of Renfrew and of Stormont and of all other agricultural parts of the province.

The Agenda for People could not be plainer, I say to my friend the member for Niagara South: "Up to \$100 million would be made available," by way of interest rate relief to help alleviate the growing burden for farmers across the province. I know that in your counties, Mr Speaker, and certainly in mine, there will be an expectation that as winter develops some of the moneys we are giving the Treasurer borrowing approval for will in fact go to that particular commitment.

Of course, there is as well the interest rate relief being offered to moderate- and low-income property owners, spoken of, again, quite eloquently in An Agenda for People. "We'd offer," they say in An Agenda for People, "10.5% mortgages to moderate-income families for 10-year terms." I am not going to take the time of the House to talk about an extremely attractive interest rate program that would, according to this, make \$1.4 billion in mortgage funds available to the people of Ontario.

Child care, employment equity: very important commitments that I know my friends opposite are going to want to meet and show in the first year of the mandate that they are as good as their commitment. I do not mean to be unreasonable. It is like this move to 60% funding. We do not expect the several billion dollars built into the base in the first year, but I think people in Niagara-on-the-Lake are going to expect that by the spring the first airlift of several hundred millions of those dollars will start to show up in the base of school transfers as the province moves to 60% funding.

Those are certainly some of the issues that I think are going to be very much before the people of Ontario as the Legislature goes into recess over the course of this particular winter season. I suppose I should direct as well a couple of specific comments to my friend the member for Nickel Belt as a northern member, because I know he

more than most over there is going to want to make sure that some of this money, not, perhaps, a great amount of it but some of this money, is going to go forward to begin the four-laning of the Trans-Canada Highway across northern Ontario.

I must say this: I am an eastern representative, but one of the things I have long admired about the NDP is the eloquence, the passion and the consistency of its commitment over the decades to regional disparity and the need to deal with that. No one has been more passionate in that regard than the member for Nickel Belt.

When I read, for example, in An Agenda for People that if favoured with the opportunity to govern this province the New Democratic Party would create "a northern fund of \$400 million over two years, returning money...to the north, to promote economic development, job protection and job creation," and that this fund "would be supported at a rate of \$200 million a year," when I read further in An Agenda for People that if the electors of Ontario should favour the NDP with the responsibility of office it would four-lane very substantial portions of the Trans-Canada Highway through Nickel Belt, through Algoma and other wonderful constituencies in northern Ontario and that it would make not less than \$100 million available for that, and I suppose for me in a funny kind of way one of the commitments that means most—it is always on my mind because I drive a lot. I dare say I drive probably as much as anyone in this Legislature and have a licence to prove it.

Hon Mr Laughren: And a claim to fame.

Mr Conway: And I am not very proud of it either. But the other day I was driving from Pembroke, where I live, to Toronto, as I do most weekends, and within the space of that four-hour-and-20-minute drive, 400-plus kilometres, I watched gasoline prices fluctuate by seven, eight cents a litre, and I thought of a commitment made by my friends in the New Democratic Party.

Mr Bisson: You're concerned now.

Mr Conway: I am glad to see the voluble member for Cochrane South here, because I hope and I expect that some of this appropriation is going to go to keep the promise, a promise made from Shining Tree to Moonbeam and from Mattawa to Emo, that our friends in the New Democratic Party would very shortly, upon taking office, move to equalize on a province-wide basis gasoline prices in Ontario. I say this in the spirit of the Christmas season and with a view to Bill 9. I do not want my friends from Cochrane South and Cochrane North and Nickel Belt and Timiskaming and Sudbury city and Port Arthur to go home this Christmas and to explain in coffee shops across the region that gasoline prices in, for example, Hearst are running 20 cents above the prices in Windsor and they have done nothing about it.

I say to my friend the member for Cochrane South that I thought the member for Lanark-Renfrew was quite able today in pointing out what the Minister of Energy said the other day. For people like the member for Nickel Belt and I it was positively breathtaking. I hope my friends opposite will understand how those of us in—dare I say?—the old-

line parties can be excused if we judge the New Democratic Party by the only standard that is relevant, and that is the NDP standard and it is simply this: For as long as I have been a member the NDP has been passionate and no one more so than the member for Nickel Belt with, "Give us a chance, people of Ontario, and we will move with expedition and effect to remove the disparity in gasoline prices."

And what did we hear the other day? I am almost encouraged to make a northern tour, as I normally do during the winter, and report what the member for Peterborough said. The member for Peterborough said that she knows nothing about a plan to equalize prices. She knows nothing of the Nova Scotia commission. She knows only that her staff is monitoring, and her advice to the farmers of Lanark and the rural folk in Renfrew—and God forbid that the people in northern Ontario should ever see these remarks—she said a significant part of the answer is, "You ought to simply consume less."

1640

The minister is quite right, I think, in observing that we can all do more, in some cases substantially more, to conserve, but I am saying that I might just have to go to Shining Tree and make a speech about how one conserves in so far as liquid transport or home heating fuels in Shining Tree or in Blind River as compared to the opportunities in Ottawa, Windsor, Hamilton or in Metropolitan Toronto. I think the NDP poll captains in Shining Tree will understand how the honourable Minister of Energy's suggestion and policy is simply not very sensible.

So my point is simply this: I expect that some of this money is going to be made available to the government to keep the commitment to northern Ontario about gasoline prices; not an insignificant or trivial commitment—a commitment honourably and passionately made by the New Democratic Party over the years and throughout all parts of northern Ontario and pursued in this Legislature.

I expect, I say to my friend from Cochrane North, that when he goes to Iroquois Falls early in the new year, he will want to be able to say more than the Minister of Energy said the other day about keeping the promise. Nine years ago my friend the member for Nickel Belt and I dined out on that phrase and what it meant in another day about another game.

The NDP, we know, is better and purer than the rest. That is a given, and I do not quarrel with that, notwithstanding what I heard Carol Phillips say the other day that made me think that you people are thinking about running a Tammany Hall that would embarrass George Washington Plunkett of the boot-black stand at the New York City courthouse. At any rate, we know that the NDP is better and purer; they say so, they have said so repeatedly, and I have accepted that. What they have said about the old-line parties I could recite ad nauseam, but I am not going to.

I look at my friend from Blind River or from Algoma, and I know how he feels about gasoline prices, I know how he feels about doubletracking the Trans-Canada Highway, I know how he feels about the northern development fund, and I know he was pained to hear that the Minister of

Northern Development said what she is allegedly reported to have said in the Lakehead the other week. I know he is going to exercise his significant influence within the executive council to keep the promise of An Agenda for People.

I do not want the northerners in this government caucus going home at Christmas having to say that all they have offered is garbage for Kirkland Lake and gasoline prices that in Hearst are 20 cents a litre higher than they are in Windsor. If that is the message, the poor parliamentary assistant to the Minister of Natural Resources, the member for Cochrane North, is going to want to spend all of his time in Pembroke and south of the northern-southern line. Where else could he go? He could go to London, he could go to Pembroke and he could go to Toronto to deliberate ad infinitum on the great question of the moose tag lottery.

I must say, parenthetically, I think the minister has a very good idea and I hope he is able to do what the latter part of the release suggests—although I do not necessarily share the view in that regard of the member from Regent Park, who was getting a bit exercised earlier today on that account. I have not met the member for Cochrane North; he seems like quite an estimable fellow. But to send the poor man home this Christmas armed with nothing but the Minister of Energy's statement on gasoline prices—I say no amount of good news on the moose tag question is going to shield him from, I suspect, the discontent of his electors.

So I say to the member for Nickel Belt, the team of the caucus and the Minister of Finance for the province, I expect you will keep the promise, and you will most especially keep the promise on gasoline prices, on northern development funds, on four-laning those highways, and I will watch with great interest. I probably will not be here, but I will be interested to read the Picton Gazette, I will be very interested to hear how the new member for Prince Edward-Lennox-South Hastings is going to cope with the Prince Edward Board of Education or the local home for the aged or the nurses, because I have a feeling I know the message the very honourable member is going to have to deliver. It is going to be interesting reading in the Glengarry News and the Picton Gazette and in the Blind River Trombone. It is really going to make for interesting reading.

When I look again at the Agenda for People, I am absolutely astonished by where it is the government has made the commitment. I think they are absolutely honourably motivated when they say their primary concern and their principal obligation are to those in the community who are the most disadvantaged. Their exquisite problem is that they have made big-ticket commitments to a whole bunch of other people, in relative terms. They are going to have to find a way to do something about that. They will work hard, and I suspect they will have a measure of success.

I know one of my colleagues is going to talk a little more about the kind of fiscal manoeuvring the Treasurer has already engaged in to get this deficit where it is. I would say that he is a sly fox, is our Treasurer—

Mr Callahan: He is a silver fox.

Mr Conway: He is a silver fox as well, but I do not think he is quite Les Frost; I do not think we could say that of this Treasurer. But he does have a very real problem, that is, that he and all his colleagues will want to keep the commitment to those who, particularly in a time of recession, are really experiencing some very significant difficulty.

I do not think there is a member here, I do not think there is anyone who knows anything about Dover township or Jarvis or Haliburton village, who would disagree with everyone's interest in doing the right thing for the people who are really hurting. But the real problem is the big-ticket commitments. The really big-ticket items have all been made to a different group of people. The Treasurer knows it. He will never say it. I do not expect him to say it, but all of his colleagues are going to have an opportunity by mid-January to begin the explanation in earnest. I will give the honourable Treasurer credit. He is starting to prepare the ground. The recession is very tough. We all know that, so he is lowering expectations, not perhaps as effectively as the leader of the government, but none the less he is moving in that direction.

Putting it really bluntly, what will be left for the unemployed auto parts worker in Chatham when the doctors, to start with—I would love to see the private budget notes about what is tucked in there for the doctors' settlement. I suspect only two people in the government are ever going to see these notes; that is probably as it should be, because if they saw it in Sharbot Lake, there might be a march on Mountain Grove. I do not know.

It is going to be interesting, however, when the doctors, the teachers, the nurses, the public servants and a couple of others are concluded with, to see what will be left for the unemployed farmer in Delhi or the out-of-work auto parts worker in Dover township. It is going to be tough. It is going to be tough for all of us. I do not mean to make light of the difficulty that the honourable Treasurer faces, but, put most bluntly, the commitments that have been honourably entered into are at some variance with what I think everybody is going to want to do. I am not here to suggest for a moment that our friends in the medical profession should be abused in these discussions. Far be it from me to suggest that.

I said the other day that one of the things I know the New Democratic Party is not is a Social Credit party in fiscal and monetary terms. Accepting that as a premise, I will watch with some real interest how in the coming weeks the Treasurer takes the money that is going to be made available by virtue of the passage of Bill 9 and begins to keep his commitments. I have cited just some.

1650

I want to make just one or two other closing observations. I am going to use this opportunity to talk a little bit about energy policy. I was struck the other day by, I thought, a very good statement from the Treasurer about the economic outlook. I found it quite sobering. Quite frankly, I hope it is as good as these numbers would suggest. My guess is that this recession may be biting deeper

into Ontario than we even yet understand and that in fact it may be more protracted than the very good officials working for the government of Ontario imagine.

I think that one of the really bedevilling factors for economic planning and growth over the next few months and the next few years is going to be energy. I have some sympathy. The statement that the Treasurer presented about economic forecasting for the next year or two spent some time talking about the volatility of gasoline prices and what that does, for example, to inflation and to an economy like Ontario's.

One watches on a daily basis the developments in the Persian Gulf and one hopes that diplomacy is going to resolve that short of a conflagration. But should we get the latter, and I hope and pray we do not, one really begins to think about what that could mean in terms of the short and intermediate impacts for the Ontario and the whole North American and Western European economies. I think my friends opposite would be the first to admit that every day a development seems to suggest peace, gasoline prices drop, at least on the futures market, to quite an extent. When a negative scenario develops out of Washington or out of the Gulf region, the reverse happens. That is causing a lot of very real concern.

There are some aspects of our own domestic energy policy that are really beginning to trouble a lot of people. Although I feel perfectly entitled to take this opportunity today to talk a little bit about this, it will be just a very brief reference today. I will look for an opportunity later in this session to go on at some greater length about this.

I would say this to the Treasurer, as the person to whom the business community will look in this province as its port in the storm. He will be, I think, a comforting, candid, bright and sensible port in that connection. But I know he will know that there is a growing concern about whether the domestic energy policy of the province of Ontario goes.

I have been on my feet largely as a member from a community where there has been a long and strong commitment to nuclear research and I am sure some of my friends opposite will see this as very much a local perspective. It is that, to be sure, but it is more than that. I have spent a lot of time here over the course of 15 years looking at the practical alternatives and I will say at the outset that I completely agree with the position that is being advanced that we can do more.

We can do much more on the conservation account. There is no question about that. From a personal point of view, I would really like to see that, because it will make my bills better and it will certainly accord with my lifestyle in a very happy way. But when the Minister of Energy says what she says, I know in Haliburton and in Blind River they are not going to be very happy. That is just on the liquid transport side.

In rural Renfrew county, as in rural Haliburton, we do not have the TTC and we do not have Gray Coach and we do not have OC Transpo. So our alternatives are very, very limited, and to be told that we are simply going to have to conserve substantially more of a very much more expensive liquid transport fuel is neither fair nor sensible. There

are lots of places where one can make savings, and we will expect the government to take leadership in that respect.

I know that my friends opposite have probably taken the Minister of Energy to a consciousness-raising session someplace in the precinct, but I do accept that we can do more. I thought the report from Loblaw's and Hydro that they have oversold or overcommitted the lightbulb business is very encouraging. It tells me once again that everyone wants to do more, and I encourage the government to certainly encourage the minister to pursue those kinds of conservation initiatives.

I am not saying that one has to be a slavish devotee of the nuclear option, not at all. I make my position known on the basis of a lot of select committee experience and I think a fairly reasonable assessment of what the real alternatives are.

The point I want to get to is simply this: This Minister of Energy said some things that I hope are beginning to be understood, though I suspect they are not being understood. The Minister of Energy is saying—and this has enormous economic impacts for the province both individually and from the point of view of labour unions and businesses that generate jobs and wealth in this province—in case the members have not heard, it is her hope and expectation and it is almost, I think, the government's plan to try to avoid building any new capacity for a considerable period of time by dint of conservation alone.

That, I tell my friends, is an exceedingly tall order. That is much, much more than "Drive less and get Dave Nichol and Ontario Hydro to give you those new fluorescent lightbulbs," all of which is very laudable. That is much, much more. My friend the member for Nickel Belt knows what of I talk, and I am going to make just one quick reference.

I think it was six years ago when I as a member was in Sudbury on business that had nothing to do with energy and I walked into a storm that I have never seen the like of. It was over a fairly timorous proposal about time-of-use rates. My friend the member for Nickel Belt will remember—if he does not, I will take him to my clipping file because I will never forget. Oh, the outrage in northern Ontario, in the big industrial town of Sudbury particularly. But it will be no less so in Hamilton and in Windsor, and particularly in the north.

The kind of conservation policy that is being imagined and inevitably planned for will make, by my reckoning, a massive intrusion in the lifestyles of individuals and of businesses right across the province. If the proposal has not changed, it will have a particularly bad skew for northern Ontario. I cannot imagine, I must say—on another day, I am going to be trying to draw the Minister of Energy out on this very interesting new conservation initiative, because who could be opposed to it? It is the right course of action. It is warm, cuddly and user-friendly as long as we are talking about the sorts of things we all think we are talking about.

I endorse all of that, but I just say to my friends opposite, particularly in the context of current and projected economic circumstances, that one of the most radical policies that the government appears to be embarked upon

is its energy policy. I would be the first to say—and I would say it hopefully in the presence of my illustrious friend the Minister of Health, who has done more good work on this subject than anyone I can ever remember in my 15 years here—that I think we do have to really start to change the way we behave in the consumption of energy. I am not going to say that the changes just have to be marginal. To do what the Minister of Energy is suggesting is, I repeat, by my calculation, a massive intrusion into the lifestyle of families, of individuals and of business and industry.

I remember passing through Sudbury when some local politicians were having to explain to a lot of Ed Broadbent's ordinary Canadians what I could only describe as a fairly timorous time-of-use rate proposal was going to mean in that wonderful city in midnorthern Ontario. That proposal, six years ago I think it was, produced a firestorm. I suspect—

Mrs McLeod: It's still out there.

Mr Conway: Oh, it is still out there, and I have been watching and reading and listening with very great care to what the Minister of Energy is saying. She has taken the proposition much further, I think. I repeat, if we in this province are going to obviate the need for any new capacity over the next few years by dint of conservation, ouch, I say. Ouch, I say, in a big and persistent way. That will be of concern—

1700

Hon Mr Laughren: You are such a traditionalist.

Mr Conway: Listen, I may be a traditionalist, because I have watched, for example, over 15 and a half years how politicians, myself included, react when a blast furnace is open in front of them and when there is not very much of an asbestos shield—bad phrase, I suppose, but, wow. I know what I do. My first instinct is to back away as quickly as possible from something that feels very hot and that is burning when I—

Hon Mr Laughren: Therein lies the difference.

Mr Conway: My friend opposite says, "Therein lies the difference." I am prepared, I say to my friends opposite, to accept that assessment. I want to be there the day, however, when Leo Gerard and Bob White have to confront what I think is the inevitable consequence of some of the new energy policies. I want to say to my friends opposite I do not want to see my friend the member for Nickel Belt having to retreat any further from the Varsity and British Gas battlement.

I was reading something the other day—I think it was in the Herald Tribune—where the poor Swedish Social Democrats are beating a hasty retreat from certain energy policies that look painfully familiar, because of course the Swedish Social Democrats have the responsibility of government, and they are now starting to realize what some very wonderfully theological commitments are going to mean. They like office; they like the things they are doing, and I repeat, the international presses the other day suggested that the Swedish Social Democrats are backing away as fast as their happy little feet will take them away from their policy of certain moratoria.

I only say to the Treasurer, to come back to my earlier point—

Interjection.

Mr Conway: Well, it is not clear; it is not absolutely clear. It is in my area, and again I speak as a local member. All I can tell members is that after initial assurances that the freeze was not going to mean anything, I go home to be told that multimillion-dollar contracts have been cancelled and scores of jobs are already at issue.

I want to be clear where I am coming from. I represent, as the member for Renfrew North, a constituency where 2,000 people work at the nuclear laboratory centre. We have got some of the highest levels of continuous unemployment of any region in the province. So this is a very real, bread-and-butter issue, and if I am being true to my mandate and responsibility, as I believe I am, I must come here as the member for Renfrew North and communicate to the government, and particularly to a significant member of the government such as the Treasurer, how worried my constituents are and my communities are about the developing trend in energy policy.

I expect that others are going to moderate this, and all we ask for is that fairness and balance characterize the deliberation. We are all very aware of what the party policy has been, and we respect the kind of pressure that honourable members, particularly those on the Treasury bench, are under in this regard.

But I want to say to my friend opposite that there have been few things that have been as important to the economic advantage that Ontario has been able to offer in the postwar period like our supply of non-interruptible, competitively priced electrical energy. We jeopardize that at our peril, because it is a very real concern to the millions of people unemployed. I am not saying and I do not want to suggest that there is any premeditated plan to do this, but I have to tell the Treasurer that there are growing fears out there about what some of the unintended consequences of his government's energy policy may be.

I want to use this opportunity today to ask the Treasurer, to implore him at the council table to understand that options must be maintained and they are not going to be available if a "zap you're frozen" policy is pursued with great vigour over the next three or four years to such an extent that the option will not be available. The research capacity, the development capacity will simply not be there in four or five or eight years' time when they may very well need it and when, in my view, we are going to need it.

My own view is that we have to have a balanced and mixed energy policy as we look to the next century. I am not going to argue in this debate or in any other that we should give ourselves over entirely to one option. I know there are people opposite who probably think we can do and we should do more with hydraulic power. I tell them, few constituencies have been carved up quite like mine has been in this regard.

Hon Mr Laughren: Did you get the note?

Mr Conway: I got the note.

I have a mandate and I am going to speak to my mandate. My good friend from Bruce knows that. The people of Renfrew sent me here to speak to their concerns and I want to be very, very frank. This is of very real and growing concern to them because it is jobs; it could be hundreds, thousands of jobs in my area of consistent, perpetual double-digit inflation.

Like my friend from Haliburton, we have disaster in the resource sector for reasons that have a lot to do with international conditions, and they are not going to be solved overnight. But to face a constituency where the unemployment rises with a suggestion from our own government that we have a way to add to that unemployment in perhaps a very irresponsible way in the intermediate and long term is something I know my friends opposite would want me to observe on behalf of the thousands of people that it is my honour to represent.

My friend the member for Bruce does have a point, and I want to resume my seat by again reiterating that I am pleased to vote in support of Bill 9. I know the Treasurer is going to need this \$5 billion and he is going to need more because he has initiated a parade on something other than an empty street and the suppliants and supplicants are everywhere.

They have been encouraged, they have been fostered and sponsored in ways that are going to provide him and his colleagues with no little bit of excitement, not the least of that excitement to begin on or about the third week of January. In the Christmas season, I wish him well in that and all other tasks that he will pursue in response to the issues of Bill 9.

Mr Drainville: I am very pleased to hear that the honourable member is going to be supporting the bill. I would hate to see the length of speech he would give if he was against the bill.

These acts of legislatus interruptus are at times a little bit cloying, especially when we hear comments made, as we normally do in this House lately, about the promises that the government has made. We constantly hear that these promises are not being kept, even though we see clearly in terms of the government docket that we have legislation being presented that is going to lead our province in the direction that we very much have indicated to the people of Ontario we want it to go.

As I was listening to the honourable member, I was thinking of the characterization that was once made of Charles II, just after he died, by John Wilmot, the Earl of Rochester. He said:

Here lies our sovereign lord the King,
Whose promise none relies on;
He never said a foolish thing,
Nor ever did a wise one.

As we look at the promises, not only of our party but of the parties across the road, we have seen through so many elections and through so many years that the promises have not been kept easily by the other parties. They have imposed upon us difficulties in terms of finances which we are going to do our best to rectify in the days ahead. We are going to proceed with the directions from An Agenda for People.

I said yesterday, and it bears repeating again in the House, when we speak about an agenda for people, we mean precisely that. It is not an agenda for the rich, it is not an agenda for the powerful, it is not an agenda for those in prestige and authority, but it is an agenda for people. As such, we have made our commitments plain. The honourable member mentions the fact that we have associations with labour. The honourable member is right. We are proud of those associations.

The Deputy Speaker: Your time has expired.

1710

Mr Bisson: I am so pleased to hear the member for Renfrew North being so eloquent in his support of this bill. I make the same point as the member across the aisle makes, that I shudder to think about just how long he will talk in the event he is against something.

Mr Elston: Just you wait.

Mr Bisson: We will wait, no problem. I am glad to see there is a new-found concern for the average Ontarian in what the member was saying, and I hope in the next six months and when he is gone that he will have an opportunity to sit back and think about that.

One thing that distressed me was that there was a mention made about the moose tag situation in northern Ontario. I notice there was a lot of laughter on the Liberal side of the House when it came to that issue. Well, I say it is a serious issue and northerners take that issue with big seriousness, because it is something that is important to us. To think it is something that can be taken lightly maybe shows some of the attitude they have towards northern Ontario, and I am quite distressed to see that.

The member also talked about the question of announcements with regard to the gas prices in northern Ontario. I agree with him, and it has always been the position of this party that gas prices have to be in a position where they make some sense from one end of the province to the other. I do not think anybody from this side of the House disagrees with that, but a few of the figures he used were somewhat misleading. As the member for Cochrane South and from the north, it is an issue I am concerned about with the rest of the people in my caucus. The price, I will let the member know, was 62.9 cents this weekend in Timmins, the same as it is here in Toronto—62.9 cents.

It is amazing. I do not know if all of a sudden they are starting to come in line because they see that we may do something about it. I urge the private sector to do it on its own, because I do not think the member is advocating for one minute that we should just do things unilaterally. I would ask the retailers out there to come in line with that. The prices in Kapuskasing obviously have to come down a little bit more. But I thank the member for his eloquence and I look forward to the moment when he stands in this House in opposition to a bill to see what he is going to say. I thank the member for his support.

Mr Conway: I would like to be very brief. I may not have been clear in what I was saying about promise versus performance. The government is now two months and two weeks old, and I would say to my friends the member for Cochrane South and the member for Victoria-Haliburton

simply this. It could not have been clearer to members of this Legislature and to the community beyond what the stated NDP policy was with respect to British Gas takeover of Consumers Gas, Varsity moving to the United States, the funding of food banks, the establishment of a commission to equalize gas prices on a province-wide basis. I only make this observation. In those four areas, and those are ones that just come to mind quickly, they appear to have fed one thing over the years in opposition and in 10 weeks in government to have done precisely the opposite of that which they said they would do, admittedly for some perhaps very good reasons.

I am only going to judge the government, however, by the NDP standard, which was that it would never do that. I accept what they are saying about gas prices now. My only problem is that that is not ever what they said over the decades when they were in opposition. I would say to my friend the member for Victoria-Haliburton that I know he has had many associations and I know the party has had associations that may not be, in the first instance, mine.

Can I be really mischievous? I will. The member for Victoria-Haliburton I know has had several associations. I well remember in 1977 when he and I campaigned together under the Liberal standard and he ran against the sainted icon of democratic socialism, the late, great James Renwick. Has he had associations that are more colourful and varied than I? Yes, and the history and record affirm it.

Mr Phillips: I would like to join the debate briefly. We have heard from my colleague, I think, some problems for the future; but I guess what I want to do is just spell out a more optimistic note, at least about this year, and to say that things may not be as bad as the government benches feel.

I know the Treasurer, when he brought forward his first look at the budget, I think it was on 11 October, indicated that it seemed we may be looking at a \$2.5-billion deficit. It is my hope that things will not be that bad. I recognize that the government will continue to need the funds that are spelled out in Bill 9, but the \$2.5-billion deficit the Treasurer identified on 11 October was really made up of two things. One was an estimate that the revenue shortfall over the original estimates would be about \$1 billion. Again, just to make the back bench feel a little more comfortable, I hope, it does not look like it is going to be a billion-dollar shortfall in revenue now.

My experience over the last three years is that as we get towards the end of the fiscal year, we are going to find, particularly from the federal government, the revenue estimates going up. So while I realize the \$2.5 billion looks bleak to the members, keep an eye on it, because my judgement is—and the Treasurer obviously will see it unfold over the next three and a half months—that the revenue shortfall will not be the \$1 billion that is predicted. It is my hope that it is substantially less than that. So I am just saying that the \$2.5-billion deficit may not be there. I hope it is a lot less so that the government will have a better base on which to work going into next year.

On the expenditure side, I guess there are two big expenditures in the estimates the Treasurer presented on 11 October that I would watch. One was a \$300-million

estimate for SkyDome expenditures. We will see over the next few months how that will unfold. I hope and suspect it will be considerably less than that. In his estimates there was, I believe, a \$400-million estimate for Urban Transport Development Corp. I hope it too will be considerably less than that.

The third thing I would say to government members is that as they approach the year-end they will find ministries' budget estimates actually dropping. Again, I hope they will find that the expenditure level will not be as high as they originally felt.

The reason I raise all of this is that I realize the \$2.5-billion deficit is one that must be discussed at caucus frequently, and I just wanted to tell them to watch, because I think it may be a lot better than the original estimates indicated. On the revenue side, as I say, the Treasurer took his original look at it and felt the revenues would be down \$1 billion. Watch it, because I think that by the year-end that will have substantially narrowed. This is good news for them, by the way. The second thing is on the expenditure side. UTDC and SkyDome both, I think, will be less than the Treasurer estimated. I realize he was only in the job a week and a half and had to make estimates, but I think it will be better than that. The third thing is that as your ministries finalize this year's expenditures, I think many of them will be less than the estimates.

The reason for spelling all of this out is that the \$2.5-billion deficit which is perhaps inhibiting the government's thinking about this year's fiscal plan—I would watch it. Watch it versus the estimates that the Treasurer provided 11 October. As the revenues go up and some of the expenditure estimates go down, I think the government will head into next fiscal year in a lot better shape than it thought. That does not detract from the fact that next year is going to be a challenging year. It does not detract from the need to pass this bill to ensure that they do have access to the financing they will require, although my hope is that they will need less financing than this bill proposes. Certainly the Provincial Auditor suggested that the preflowing of funds, which has historically been done for many years, may not be an appropriate use of funds for the future. That is another thing I think will inhibit the government's expenditures in terms of this year into next year.

The reason for joining the debate is, I think, good news for the government perspective, that the \$2.5-billion deficit that was originally estimated I hope will be less for the three reasons I have outlined. I think for the government it will mean it will head into next fiscal year in better shape than it had expected. For this bill, I hope it means they will have to borrow less and therefore, of course, save the taxpayers' funds.

We will watch it as it unfolds over the next few months. It probably will not be clear to all of us until the year-end and the Treasurer presents his new budget; I think he announced he is presenting that in April. Then we can take a good look at that deficit for this year. Certainly, versus the estimate of 11 October, I now see some areas where I think things will be better than the Treasurer felt on 11 October, and as I say, that is good news for the government.

1720

The Deputy Speaker: Is there any further debate? Can we wait for the minister for a few minutes?

Hon Mr Laughren: I apologize for my temporary absence and for the delay it has caused. I appreciate the patience of members. I must say that I did listen to the debate as carefully as I could this afternoon. I appreciated the contribution from all members.

The member for St Catharines was quite right when he laid out the options that a government has at a time of recession and deficits that we are facing. He said, plain and simply, "You can tax, you can cut or you can borrow." It seems to me pretty elementary.

Mr Conway: And the third option is just taxation by another name.

Hon Mr Laughren: That is right. Of course, we will be doing all three. It surely is not either/or, although I must say that when I listened to the member for Etobicoke West, there is only one solution, it seems to me, in his mind. That is simply to cut expenditures, and he talked about the private sector being the only solution. I want to say that while I understand that in a recession if the private sector has to lay off people because of declining sales, whatever, then it does that. I understand it; but to be fair, to complete the equation, when those people are laid off and they run out of unemployment insurance benefits they come to the public sector to collect their social assistance payments, which this year will be \$500 million higher than anybody thought they would be when the budget was brought down last spring. So it is not fair to simply say that the private sector is a solution. They can also be part of the problem.

I am not criticizing the private sector, because it simply has to be able to survive in a competitive market, but all I am saying is let's be fair about the results of some of the actions that the private sector takes from time to time. Even though it may be inevitable, the public sector still picks up a part of the problem that is then created. So we should not be so simplistic as to say that all governments have to do is cut back, just like the private sector does, and use that model totally. What would be the quality of life in this province if whenever we were into a recession the public sector cut back and laid off employees and cut programs in a very dramatic, if not draconian, way? I can say it would be an unhappy province.

I am not suggesting that most members would agree with that, but when I hear a member, the critic from the Conservative caucus, saying that is what he would do, I worry a great deal about the quality of life in this province. I think we have worked too hard building up that infrastructure and social safety net in this province to see it go down the tube because of what we all believe to be—I think we all believe—a temporary and relatively shallow recession.

I would hate to overreact either way. I would hate to overreact with huge expenditure programs to get us out of what we think is going to be a shallow and short-lived recession. At the same time, I would hate to overreact by cutting programs because of our declining revenues to government. I think there does need to be a balance. The

only thing I regret is that the member for Etobicoke West did not seem to be prepared to recognize that there is a balance, and there is a role for government to make sure that when a recession does occur—

Mr Elston: Whoops. What was that word? The D-word slipped in there.

Hon Mr Laughren: No, I do not think anybody wants to even imply that we are in a depression. I have not heard anybody say that except—anyway, I will not say it. But the fact is that we are in a recession that the experts believe will be short-lived and that we will come out of some time in 1991.

I think the answer is not the CBC answer that the federal government imposed on the country by massive cutbacks all across this land. The member for Etobicoke West, the Conservative critic, argued that the sales tax should be cut four points. He would cut the sales tax four percentage points and cost the province revenues of about \$4 billion. Does he really believe that if he cuts the sales tax from 8% to 4% there will be so much economic activity that the revenues coming in will be more than \$4 billion in a fiscal year? I find it hard to believe that he would accept that.

Mr Sutherland: What about the interest rate question?

Hon Mr Laughren: Yes, what about the interest rate question? The member for Etobicoke West quite conveniently skipped over the problem of interest rates.

I think it is simply not appropriate for members to stand in their place and say there is one easy answer to coping with the recession. I happen to think that our response of a \$700-million antirecession package was most moderate. It did not overreact to recession; on the other hand, it did not say we cannot do anything about it, it is here, we are just going to let it happen. I think that too would have been inappropriate.

I think if members are being fairminded, they will admit that out there the private sector has acknowledged that our response has been reasonable and moderate. I have not heard even the private sector say we are spending too much money in order to cope with the recession. I happen to think they are right.

The member for Hamilton Centre reinforced our belief—he is my parliamentary assistant and I am glad he is on side, because he is a very independent-minded fellow and it is not a given that he is on side simply because he is my parliamentary assistant. He reinforced the point that we do want to spend this money carefully. This is not simply a slush fund that we are going to throw around and spend in a foolish way. He is quite right that we are going to work very hard to make sure we spend this money properly.

We did look, and are still looking very carefully, at where that money is spent, what parts of the province it is spent in, and what sectors need the support most. We really believe that the public infrastructure will benefit from this and that it puts us in a better place, as we come out of the recession, to get into recovery, to cope with the recovery and to enjoy the benefits that flow from any kind of recovery.

I must say, when the member for Renfrew North spoke, he was, as always, articulate, reflective and not ungenerous. However, he did make me somewhat depressed. I was almost depressed by the time the member for Renfrew North sat down. He sounded depressed. He sounded as though we had a hopeless case on our hands, that we had made all these promises and we had all these financial difficulties and that we could not possibly bring the two together.

That basically was what the member for Renfrew North was saying: “You’ve made all these promises. They’re very expensive, they’re big-ticket items, and you’re in a recession and you’ve got a financial problem. How can you possibly weld these two? How can you have a happy marriage between the promises you made and the financial situation in which we now find ourselves?”

The member from Renfrew North talked about our promises on gasoline prices, our promises on four-laning highways, the northern development fund, our energy policy, the big-ticket items on education—very big-ticket items on education, going to 60% support from the province as opposed to 60% at the municipal level—the doctors’ settlement: I will not repeat all the arguments of the member for Renfrew North.

I would, however, say to the member for Renfrew North that unlike him, the people of Ontario are very reasonable in their expectations. Since we were sworn in, the message I am getting out there from people—the business community, individuals, my own constituents—is: “Don’t do anything rash. We understand we’re in a recession, and the worst thing you can do is think you can simply spend your way out of it.”

When people say that to me, I believe they understand that that means we cannot take that Agenda for People and implement it this year and next. I believe that people understand that. I do not think there is anything magical about that or mystical about it. I think that people are very reasonable.

I think the member for Renfrew North is trying to get people to think we are in an impossible situation and that the government cannot possibly cope with its promises and the recession at the same time. I want to tell the member for Renfrew North to watch us; we can indeed cope with the recession and we will indeed implement our promises.

1730

Mr Conway: But after Varity you know why I’m concerned.

Hon Mr Laughren: Never mind Varity. The basic premise of the argument from the member for Renfrew North is that everything has to be done right now. People in the province do not want us to do everything right now. They understand, perhaps better than the member for Renfrew North, that we have got to be reasonable. We cannot rush ahead. We are in a recession. We intend to spend judiciously and we intend to tax prudently, all within a framework of fiscal responsibility.

I can remember when we formed the accord with the Liberal Party back in 1985. When we were putting our demands in front of the Liberals as to what we expected if

we were going to support them in government, they insisted that at the end of almost every paragraph there had to be a statement that said, "all within a framework of fiscal responsibility." So I know that they now would not expect us to do otherwise when we are in government. I know that the member for Renfrew North, being a fair-minded person, will expect us to do that too.

Interjection.

Hon Mr Laughren: Because we are social democrats, socialists even, for heaven's sake, what kind of assumption is the member making about us and our spending priorities and habits?

I want to tell the member for Renfrew North that we spent too long in opposition and too long criticizing governments to do anything now in a foolish or haphazard way. We intend to govern with much prudence. I am sure that four or five years from now, the member for Renfrew North is going to sit back and say: "I don't know how those rascals did it. They had a recession, they had a lot of promises, but damn it, they gave us good government." That is what they are going to say.

I really believe at the end of our mandate—it will be hard for the opposition members to say this, because their role is as honourable members of the opposition; it is Her Majesty's loyal opposition, after all and I think they will have trouble saying it—but I believe the people of Ontario will say, "They came in in tough times, but they did the best they could and they always had our interests at heart."

Motion agreed to.

Bill ordered for third reading.

MANITOULIN, BARRIE AND COCKBURN ISLANDS LAND ACT, 1990

Mr Wildman moved second reading of Bill 15, An Act respecting Land on Manitoulin Island, Barrie Island and Cockburn Island.

Hon Mr Wildman: I am very pleased to be able to introduce for second reading Bill 15. This bill enables the province to implement that part of the province's obligations that deal with land under the agreement that was finally signed in the first week of December with five first nations on Manitoulin Island.

The government will be transferring land to the first nations that signed the Manitoulin Island land claim agreement. I am proud to be involved with this first agreement signed by this government. As I paid tribute to the member for St George-St David at the time I made the statement in the House about this bill at first reading, I want to reiterate that the work that he did as the former minister responsible for native affairs helped to bring about this agreement. I want to pay tribute to him again for the work that he did.

I also want to pay tribute to the staff of the Ontario native affairs directorate, as it used to be called, or now the secretariat, particularly the work of Mark Stevenson, who worked long and hard to help bring about this settlement. It was not easy.

The settlement that this bill will be helping to implement resolves situations that have been outstanding for 128 years in this province. As we said at the time of first

reading, this is the first time that Ontario has settled an outstanding native claim without the participation of the federal government of Canada.

I think that this is a historic occasion for us to be dealing with this bill. I think it is important for all of us in the House to recognize not only the work that was done by my predecessor but the work that had to be done subsequent to July. As many will know, there were some difficulties in implementing the agreement because of the situation related to the South Bay West band.

This was a first nation which amalgamated with the Wikwemikong first nation in the 1940s, I believe, and which would have been party to this agreement had it been a separate, standing-alone first nation today. There are a number of descendants of that first nation who live on Wikwemikong, and it was originally planned and anticipated that the Wikwemikong first nation would sign this agreement on behalf of those members of their first nation who are descendants of the South Bay West band.

Many will know that the first nation of Wikwemikong is a very proud first nation that has never signed any land settlements or agreements or treaties and for that reason, among others, it was found that the members of the Wikwemikong first nation did not wish to participate directly or indirectly in this settlement.

The suggestion then was made that one of the ways that we could resolve this problem, and the work that was done from July until we finally were able to get a final settlement, was that, of the moneys that would be transferred, besides the lands referred to in the bill here, part would be set aside in a trust fund which would be held for the members of the South Bay West first nation who are living at Wikwemikong and members of that first nation now, if at some future date they wished to settle. That made it possible for us to deal with the financial side.

This bill now deals with the approximately \$2 million worth of land that is to be dealt with in the settlement. This land will be transferred to and returned to the five first nations that have signed this agreement. The other lands, of course, will be transferred to municipalities and some will be held by the crown in the right of Ontario.

The bill has a number of schedules attached, which will set out the boundaries of the lands in question. They give the legal descriptions so that we know exactly what lands are dealt with for each of the various bands: the Cockburn Island band, the Sheshegwaning band, the Sheguiandah band, the West Bay band and the Sucker Creek band.

I am proud today to be able to participate in this debate and I would ask all members of the House to join with me in supporting this legislation which implements a historic land claims agreement, one that I believe will be a first step to dealing with many grievances of first nations across this province and that will be an example of how we can resolve a number of claims that are of similar type that deal with surrendered lands that were never compensated for properly and dealing with boundaries and setting boundaries that are acceptable to the first nations.

1740

I am proud to have been part of this historic agreement and I look forward to new agreements patterned after this, as I said, so that we can finally deal on an equal basis in resolving land claims in this province and ensure that we can expedite the resolution of problems that have plagued the relationship between those of us of European extraction and those of us who are first nation peoples in this province.

Again, I would like to thank the members who participated up to now in the support for this bill. I know my friend the member for Algoma-Manitoulin has been very much in support of this settlement and again I pay tribute to the member for St George-St David for the work he did.

Mr Harnick: I am pleased to participate in this debate and I am pleased to say that my party supports this initiative. It is a very significant initiative in that it is the first claim that has been negotiated solely by the province and it is also the first claim negotiated under the 1986 federal Indian lands agreement. The only difficulty with the process has been that one band has not been included. We look forward to the settlement that we hope will ultimately take place with the South Bay West band.

Dealing with native problems we have heard, and it has been categorically identified on numerous occasions by the government, of all of the problems that natives have. We have heard countless times the issues that exist in so far as our first nations are concerned. In categorizing all of the problems, we understand very deeply and profoundly the difficulties that exist in so far as the way our first nations live is concerned. I think it is going to be incumbent upon this government to stop just identifying issues and to start laying out a concrete plan dealing with how the problems that our first nations face are to be solved.

We know that one major issue is the issue of native self-government. There are prototypes that now exist that are going a long way towards solving that problem. We have the Sechelt Indian Band Self-Government Act and that is a very significant settlement of the native self-government situation in so far as that British Columbia band is concerned. We also have in Ontario proposals such as the proposal coming from the United Chiefs and Councils of Manitoulin that are unique. They are proposals that will go a long way to developing a methodology suited for each individual band to solve that problem.

We also have other significant issues and they have been identified. We have issues dealing with native housing. If we think the problem with apartments is a crisis, the problems that natives have with regard to housing is truly a crisis. We have natives who, because they live on reserves, cannot own the land or offer their land as security so that they can obtain loans and build proper housing.

We have problems off the reserve, where natives are spending in excess of 30% of their income on housing, and we have a great problem with the fact that native housing, by and large, is housing that is overcrowded. It is in many cases unsanitary and far below the standards that we in this House would deem proper.

The Premier was quoted as saying that the relationship of Canada's first citizens and the rest of the population is

one of the great unresolved issues of our time. It is unconscionable for our province to continue with a situation where the condition of life for native people is taken for granted. Again, the problems are identified. It is time that we started to see what the solutions are.

In the area of native health care, we have problems where the provincial government must enter into discussions with the first nations. They must do it now so that the first nations will have things we take for granted: running water, sewage treatment, garbage disposal, adequate housing, ambulance service, care for elders, midwifery service, education in preventive programs and programs to deal with family violence, mental health and substance abuse, which would include the provision of accessible crisis centres. All of these things that we take for granted as part and parcel of the day-to-day programs that we talk about here are not available the way they should be, and it is incumbent upon this government, now that it has identified the problems, to come up with a package and tell us the way it wishes to solve these problems.

The other area of very major concern to natives is native education. We all know that there are schools on Indian reserves, but that is where the native education process stops. We do not have and we have not developed the secondary level. We have not developed any move towards boards of education that control the education process for natives. It is incumbent upon this government to act in those areas.

In closing, I am going to refer to a speech delivered by the Ombudsman. She gave this speech in Halifax, I believe it was in September. She stated that it is urgent that all people of this land engage in a sincere search for solutions to issues involving the first nations.

She goes on to say that given that most Canadians have been taught for generations that aboriginal peoples should be grateful for having been given the gifts of civilization and being taken care of by the government, it is no wonder that many Canadians cannot understand why aboriginal peoples seem to be behaving in such an ungrateful and lawless manner. There is a basic misunderstanding about the difficulties that natives face, and it is incumbent on the government to begin the dialogue and to lay out the program so that we all understand where we are going on this very sensitive and important issue.

The Ombudsman also stated that while recognizing the need for private discussions, there was also the need for independent monitoring and exposing the state of negotiations to public scrutiny. It is incumbent on this government not just to go from band to band and spend money, hopefully to help the situation of natives. It is incumbent upon the government to lay out the plan to solve some of these problems, to make that plan known to the citizens of this province so that they can understand and participate in solving the very grave problems that many of our first nations are suffering from.

Hon Mr Wildman: I will say more when I am closing the debate, but I want to respond just briefly to my friend. I want to agree with him that it is incumbent upon us as a government to develop a strategy and an approach and to lay it out to the public. But I want to emphasize from the

bottom of my heart that we as a government, or all of us assembled as a Legislature, cannot decide unilaterally what the approach will be.

1750

This current state of affairs for native people in this country is largely if not wholly the response to the fact that the people of this country, non-natives, have been deciding for 300 years what is good for native people. It is time we let the native people make their own decisions and, frankly, make their own mistakes.

Mr Brown: I stand with pride because this historic agreement was achieved on Manitoulin, was achieved in the communities that I represent. If I might take a moment, I would say that while we are talking about the benefit to the first nations of Manitoulin, we are also talking about the benefit to the municipalities and the people who are not members of the first nations of Manitoulin.

There is significant benefit for all in this agreement. It provides for our municipalities the opportunity for development, because the land that was under a cloud of title is now free to be used for development. I think that is significant to my constituents and to the province of Ontario.

This agreement was not easy to come by. This agreement has taken a long time—as the minister says, 128 years—to resolve. But in more recent history, I believe the interest in this particular issue began in the late 1970s and continued until 1985 or 1986—I am not sure of the exact year—when the first nations took up the cause. To the credit, I think, of our government, we also entered into negotiations and for the first time—I think this is terribly significant—we managed to settle a land claim.

But it has not been easy. I remember the warm July day not very long ago, at a beautiful setting on the reserve at Sucker Creek, there were literally hundreds of people, both of our first nations and others, assembled for the historic signing. The then Attorney General was there to sign on behalf of Ontario and so were the five chiefs. They were there to sign and we had a little bit of difficulty in beginning the ceremony. My friend the chief of the Wikwemikong band, Chief Al Shawana, came to us and said: “I can’t sign this agreement. My band council has endorsed it, but there seems to be a growing concern within the community that there are some problems. There certainly was no unanimity.”

The South Bay West band, as the minister has alluded to, was in a difficult situation in that it had signed the agreement while the Wikwemikong band had proudly upheld its tradition of never signing an agreement, and Chief Shawana was in a very difficult situation. He undertook to go back and have consultations with the members of Wikwemikong, and he did that. The signing was put off or at least the Wikwemikong signature was put off until the time the band could come to some resolution.

I am very pleased that this government and the minister, who has taken for a very long time a deep interest in the people of our first nations, were able to come to an agreement with the five first nations on Manitoulin and to find a way to make this work. I commend the minister and

his staff for their efforts. I know it has been a difficult resolution.

But while we may stand here patting ourselves on the back, I think the people who really deserve some credit in this situation are the chiefs of the bands who signed and their predecessors; all have worked very hard. I was pleased that just last Wednesday they were here in the gallery. I think I would like to mention them if for no other reason than to help the minister’s pronunciation: Patrick Madahbee of Sucker Creek, Chief Max Assinewai of Sheguiandah, Chief Stewart Roy of West Bay, Chief Norma Fox Wagosh of Cockburn Island and Chief Joe Endenawas of Shesheganwaning. They were here.

I should tell the House also the story that this agreement has been so difficult to achieve that even the weather conspired against us. A week ago Monday morning, I was at the airport in Gore Bay. When I arrived to take a nor-ontair flight, I found that the chiefs were there and other members of the first nations. They said: “Well, Mike, why don’t you just come with us? We have an MNR aircraft. We’ll fly to Toronto. It’ll save you some time. It makes sense.” I said, “Yes, I’ll do that.” We got up and we flew to Wiarton and turned around, although I did not know we were in Wiarton; no one did. The pilot announced after flying for about an hour that, “In 10 minutes we’ll arrive in Gore Bay.” So even the weather was conspiring, and on the day of the signing we also had a bit of transportation difficulty.

I think everyone was wondering whether this would happen. Nevertheless it did happen. It is a proud day for the first nations and I think a proud day for Ontario and for Canada that we have settled a land claim. The significance of that I do not think should be lost on this Legislature. The challenge will be to settle more and to settle them more quickly, but this is not going to be easy. It is going to be a difficult situation. The first nations have their point of view and, as the minister suggested, what we have to do is really enter into a dialogue with the first nations and understand and then let them set the agenda rather than us.

I think that is really very important. If we do that, then we will succeed in settling the Wikwemikong land claim, for example, which is now before the ministry, perhaps the one at Whitefish Falls, a reserve. There are numerous ones in my constituency and, I know, all across the province. The key to this is to talk to the peoples of the first nations to let them set the agenda and to respond appropriately.

Ontario is not alone in this. Ontario can only move, in many cases, as fast as the federal government will allow, and that may be the rub. The minister has a difficult job, perhaps, of being an advocate with the federal government on behalf of the first nations to move this process along. One of the sad things about this claim is that the federal government did not participate. The claim against the government of Canada is still outstanding and still will be pursued, so there are problems.

I would like the House also to know at this time about another treaty that was signed. Approximately two months ago the people of Manitoulin, as represented through their municipalities, and the first nations of Manitoulin signed a friendship treaty at Gore Bay. It was interesting to note

that they said no politicians could come to the signing. I do not know what "politicians" necessarily are by definition, but it meant no provincial or federal politicians, because municipalities have great politicians and certainly the first nations do.

None the less, in a spirit of harmony that has existed on Manitoulin, and for sure through most of this province, we have managed to have a harmonious relationship between the first peoples and the rest of the people. That is to continue, so obviously our party will be supporting this measure. I have but one small concern, and that is the schedules. I know my lawyer friends who drew these up would be also concerned, because they worked very many hours to make sure the land descriptions were right. I presume they are. I hope they are.

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Hon Mr Wildman: There are some small amendments.

Mr Brown: The minister says we already have amendments. Anyway, I just wanted to indicate to this House our support for the government, how it followed an initiative taken by the former minister responsible for native affairs, and how we will continue to support and indeed encourage the government to move forward to bigger and better things.

Mrs McLeod: I too just want to take a very brief moment of the time of the House to recognize the significance of the act that is before us today and the agreement that was signed. I have on two occasions now noted and appreciated the graciousness with which the minister responsible for native affairs has recognized the work of his predecessor in beginning the negotiations on long-standing land claims and carrying this one to the point of the interim settlement, and to congratulate him as well on continuing with that to the fruition that it now sees.

The new minister will now be aware that there are a number of those negotiations under way, as a result of the very real commitment of his predecessor, to address the long-standing land claims that had failed to really be addressed in a meaningful way over such a long period of time. He will know how much satisfaction all of us take in seeing one of these negotiations reach a conclusion without resort to the courts.

I think I would like to put the significance of this in the context of the frustration all of us felt this summer—native and non-native alike across this country—when we watched the Oka situation reach a point of such confrontation that troops had to be called in.

People from northern Ontario perhaps were particularly aware of the reaction that was provoked, because there was such an absence of good-faith bargaining to resolve that particular situation. We are all aware that that kind of good-faith bargaining takes a genuine desire to recognize the legitimacy of the concerns of our native and aboriginal people and to sit down and address their concerns in a truly meaningful way with a sincere attempt to resolve them. If we do not have that kind of good-faith bargaining approach to dealing with the other land claims, to carrying on the negotiations which are currently under way and

undertaking new ones, then I think we would all tragically see more Okas and more anger and more alienation.

I also want to note once again what the minister has noted in his presenting statement and what my colleague the member for Algoma-Manitoulin has noted in his comments. That is, that this is sadly a bilateral agreement and not a trilateral agreement. I think it reflects the fact that the federal government has not been able to participate in a meaningful way in the negotiations with our native peoples. I think the fact that they have not been able to participate in a meaningful way is a reflection, in turn, of the fact that they really do not have a sense of vision as to what must and can be done in order to address the concerns of aboriginal peoples.

So I would encourage the minister to continue with the leadership Ontario has provided—leadership provided both by the leaders of our native communities and indeed by government—but at the same time as we continue with that leadership and effort that Ontario is making that we continue to call on the federal government for truly meaningful participation in future negotiations, in this province and across the country.

Hon Mr Wildman: I thank the members for their remarks. I want to recognize again the member for Algoma-Manitoulin for his support of this agreement, and to agree with him that this is indeed a benefit certainly for the first nations of Manitoulin Island but also a benefit for all of the people of Manitoulin Island and for the municipalities. It gets rid of a lot of uncertainty and will make it possible for a new era of co-operation between the municipalities and first nation reserves and generally between the people of the first nations and the other people living in Manitoulin Island. It is a great tribute to all of the people of Manitoulin Island that not only were the chiefs of the first nations working hard to try to salvage the agreement when it looked like it might be threatened, but the leaders of the municipalities and the business community on Manitoulin Island were in support of this agreement and wanted it to go ahead and pressed the government for action to ensure that it did indeed go through to fruition.

I want to say generally, though, that I think it is not only a benefit to the people of Manitoulin Island—it certainly is that—but a benefit for all of the people of the province, if not Canada. I regret that the federal government has not been involved in this particular dispute and the settlement of it, in that now the people of the first nations will have to carry forth their claim to deal with the federal government. That may lead—I hope not—to litigation. I would hope this could be resolved.

It has been suggested that we as a government must lay out a program. We have identified problems and we must now be able to identify how we will respond to them. I accept that responsibility. I want to say sincerely that there are many serious social and economic problems plaguing first nation communities. As I said a few moments ago, governments in Canada have for too long felt they could resolve those problems, that if only they could hire more experts and put more money into research and into programs on reserves and off reserves, the problems that

have plagued first nation peoples since the arrival of Europeans on these shores would be resolved. It has not worked. Despite all of the good intentions—I am not in any way denigrating the intentions of many government, church and social leaders of our communities in the past—it has not worked.

I will not delineate and go through all of the problems again today. There is a serious problem we all recognize with regard to the quality of life on reserves and off reserves for native people in Canada. The member for Willowdale mentioned that native people cannot own their houses on reserves, and that is true. They own their homes, but they do not own the land on which the home is built. That land is held collectively, because first nations people have a different value system compared to the European. Native people do not desire to own the land individually, to parcel out the land on reserves that has been held in reserve for them by the federal government. That is not what they consider to be the best way to deal with questions of property. Property is held to benefit the community. That does lead to problems with financial institutions, which are based on our approaches. There is no question about that. That is why we must find new ways to deal with questions of improvements to housing on reserve.

Particularly in the far northern reserves, but in all reserves in Ontario, there are not adequate water and sewer services. Many communities live in what are essentially Third World conditions. That is just not acceptable in Canada, in Ontario, one of the richest places in the world. We have talked about the need for improvements to health care. We have problems of mental health, problems of providing care to youth and the elderly, serious problems of substance abuse, serious problems of suicide among young men.

1810

Education on reserves and off reserves is a major issue, and we know that the federal government cut back on its obligations to native people under the treaties. That is just not acceptable. We, as a provincial government, are committed to meeting the responsibilities to improve the quality of life for native people across Canada. However, do not believe that the federal government should somehow shirk its fiduciary responsibility to the people of the first nations of Canada in this province. The federal government has a special responsibility, a special relationship, and it must live up to it.

I will just close by saying a couple of things. First, this government does not believe that we alone should set the agenda. We would prefer, obviously, to co-operate with the federal government, along with the first nations and aboriginal organizations in Ontario, to be able to set the agenda and set the priorities for land claims settlement, negotiating self-government agreements and improving the quality of life for native people in this province. We believe that both levels of government have a responsibility and the federal government indeed does have a special responsibility.

However, the Manitoulin land settlement is an example of what can be done if the federal government is unable or unwilling to meet its responsibilities. We are not going to

wait for the federal government. We are not going to have the federal government set the agenda. If the federal government cannot participate, we will move forward if necessary on a bilateral basis with the people of the first nations and the aboriginal organizations in this province.

We recognize that it will not be easy. There are many, many land claims in this province to be resolved. We do believe that the Manitoulin settlement can be an example for a particular type of land claim on lands that have been surrendered but have not been compensated for. This is an example of what we can do together. We can negotiate land claims and resolve them, we can negotiate self-government agreements and perhaps that can move the agenda forward to a constitutional amendment on aboriginal rights for this whole country.

This is a proud day. I want to pay tribute to the chiefs and councils of the first nations. I want to pay tribute to the previous government and its commitment and to the people of Manitoulin Island. Together we can resolve grievances that have been standing far too long in this province and in this country. I am excited about the prospect, I am looking forward to it. Let's get on with it.

Motion agreed to.

Bill ordered for committee of the whole House.

INCOME TAX AMENDMENT ACT, 1990

Ms Wark-Martyn moved second reading of Bill 11, An Act to amend the Income Tax Act.

Hon Ms Wark-Martyn: I am happy to open the debate on the second bill that I have introduced into the Legislature. Hopefully it will not be as controversial as my first bill.

This bill, An Act to amend the Income Tax Act, 1990, makes changes to the Ontario tax reduction program to give more income tax relief to low-income working families in Ontario that have children or disabled dependants.

These changes were announced by the former Treasurer in his budget of 24 April 1990. However, the previous government did not pass the necessary legislation to implement these changes. In the interest of fairness, we must now pass this bill quickly. Swift passage will ensure that those families benefit from the new rules when they file their returns for the 1990 taxation year.

I should explain that the bill also contains some administrative changes. It contains an amendment which clarifies the meaning of the term "minister" in the federal income tax legislation. I want to briefly review the bill for members of the House and refresh the memories of those who were here in the last Parliament.

Section 1 of the bill deals with the administrative amendment. Under the terms of the federal-provincial tax agreement, the federal government administers Ontario's personal income tax act. To ensure consistency in income tax administration, many provisions in the federal act also apply to Ontario income tax. Our legislation contains a table listing common words or expressions in the federal act together with their corresponding provincial replacements.

For example, the Department of National Revenue in the federal act is read as the Ministry of Revenue in the Ontario act. The bill will clarify that the term "minister" in the federal Income Tax Act means the Ontario Minister of Revenue in the context of the provincial Income Tax Act.

Section 2 of the bill is much more important and interesting for members of this House. It enriches tax relief for low-income families in Ontario. In addition to a basic Ontario tax reduction of \$167, a low-income taxpayer will be eligible for a \$200 supplement for each dependent child aged 18 or under. He or she will also receive a further \$200 for each disabled dependant. The supplement amounts to \$400 for a child with disabilities.

All these supplements are added up and the total personal amount reduces the Ontario income tax that would otherwise be paid. If the personal amount is greater than the income tax figure, then no income tax is payable. If the personal amount is less than the Ontario income tax, a formula is used to reduce the tax payable.

As a result of these changes, the income level where Ontario income tax becomes payable will increase. This is good news for low-income families. For example, under the current tax rules a single parent supporting two children starts to pay Ontario income tax at an income of about \$14,000. If this bill is passed, that single parent would not pay Ontario income tax until an income level of about \$18,000 has been reached. The former Treasurer projected that 115,000 families in Ontario might benefit from these changes when they were introduced last May.

I recognize that this bill will not solve all the problems of low-income working families in Ontario. This bill alone cannot deliver real tax fairness. My colleague the Treasurer will have the opportunity to announce more measures to help working families in Ontario when he presents his first budget, and the Fair Tax Commission will no doubt be recommending more comprehensive changes to make Ontario's tax system fair to everyone in the province.

However, this enrichment of the Ontario tax reduction program is a step in the right direction. I urge all members to support quick passage of this bill.

Mr Mills: I would just like to mention the benefits by numbers to the tax filers that this bill will do in the upcoming tax year. It will benefit 115,000 tax filers supporting up to 250,000 children and disabled dependants. Also, there are approximately 625,000 tax filers who will benefit from this in this year, 1990. I think in a time of recession, in a time when families are struggling to make ends meet, that this a commendable action. I support the bill and I thank the minister for bringing it forward on behalf of the constituents that I represent.

Mr Cousens: I am just concerned that while this bill in itself has a net benefit to certain people who are in definite need in the province of Ontario, I would like to have some clear idea of the total agenda that this government has on all the people of the province.

What they are really doing is dealing very piecemeal. I am not going to object to the way that this building block will fit into an overall plan that it may be part of, but I

would like to have the whole spectrum of what the government is going to do, because I know there are some people across the province who are cringing at what it might do. They have come along and they have always had a bent to the left. Some of them are so far off the left that I do not think there is any room on the normal map for them.

1820

Notwithstanding that, the government owes it to the business community and to others within our society to have some sense of knowing how much it is going to be hitting them. It is one thing to be able to give and help those in need in our society, which we support, but it is another to come through and say, "Well now, how are we going to balance the books?" Are they going to take money from the very rich? There are some worries that they are going to take more and more. We are already one of the most heavily taxed jurisdictions in North America.

I would like the member, as a brand-new, energetic, keen minister of the government, to open up her agenda a little bit more to us rather than just sort of dealing piecemeal along the way. Then the minister will begin to restore some of the confidence that was lost on 6 September around 9:30 when people realized that the future of Ontario had for ever changed, and anyone who had any money or anyone who had any idea to invest in this province was thinking, "I had better flee out of here." So they were going to go down somewhere where it would be safe to protect their funds.

This minister really owes it to the province of Ontario and to all members of the Legislature that—

The Acting Speaker (Mr Villeneuve): Thank you, the member for Markham. Further comments or questions?

Hon Ms Wark-Martyn: I would just like to say to the member for Markham that I have met with many members of the business community already and they are very interested and excited about having the Corporations Tax Act amended. So I am looking forward to having the member's support in that act also.

Mrs Y. O'Neill: Bill 11 is very well intentioned. Indeed, 250,000 people and 115,000 families will benefit directly from its implementation. It could be classified as a more sophisticated method of support for those in greatest need in this province of Ontario.

I am particularly happy, as I think all of us are in this House, that this legislation provides supplements for children, and indeed additional supplements for children who have a disability. This is an improvement, and it complements, as the minister has just stated, the level at which a single working parent with two children will begin to pay Ontario income tax. An income now of \$18,700 as opposed to \$14,100.

However, I must say that I am more than surprised, I am shocked and I am certainly disappointed on two important counts. For everyone in this House today, particularly earlier in the debate today, we have acknowledged that we are in a recession. We do not know how deep that recession is going to become, and yet here we are presented with an initiative that was taken on 24 April 1990. In the

debate that followed the release of that budget by the previous government, the present Treasurer was more than critical in his analysis and comment of this initiative at that time, a time that each member in this House knows was a much better time, a much more economically stable time.

As we approach this winter of 1990, and most of us think it will be a hard winter, we have Bill 11 being presented. In fact, Bill 11 is identical word for word, comma for comma to the tax reduction program that was introduced on 24 April 1990. At that time, I remind the House again, the economy was healthier.

Indeed, the person who is now the Treasurer of this province said on 25 April in the course of the budget debate:

"We think there is no reason for anyone below the poverty level to pay provincial income tax. We have costed that out. We think the cost of that is about \$200 million.... That is not an outrageous amount in the province of Ontario, \$200 million.... He could"—the present Treasurer referring to the then Treasurer—"remove everybody below the poverty level from paying income tax for \$200 million."

How the Treasurer's thinking has changed as the reality of government has set in. Now today the Minister of Revenue continues in the same beginning tradition of this government of promises, promises, and I agree with the member for Markham: When will this agenda in its completeness give us some direction as to where we are going to help the poor of this province and indeed to lead the economic recovery of this province?

Bill 11, like Bill 1 that we have spent quite a bit of time debating, is but a small step by this new government, a government that has been given a new opportunity, a broad mandate by this province—indeed, as the Premier says, the stewardship. This government, with that opportunity, is taking a very small step when giant moves could be made on behalf of the people of Ontario.

The people of Ontario expect better. They deserve better. The Premier has yet to keep his promise to those who are working at the minimum wage. The Premier has told the farmers to wait until spring for relief. The Premier has told the thousands of people forced out of work by bankruptcy to wait until spring or maybe later for the promises of the throne speech.

The Premier, however, has been able to help Victor Rice and his Varsity Corp move to Buffalo, renege on commitments and take jobs with him. The Premier has been able to help the Reichmann brothers of Toronto sell Consumers Gas to foreign interests. But Premier Bob has told the poor to wait again in a time of need. He has told the farmers to wait. He has told the suddenly unemployed to wait, wait, wait out the long, hard winter of 1990.

The people across Ontario expect more and deserve more from the Premier, from the NDP government and from this Minister of Revenue in creative tax policy. We will not speak at length on this bill as we did on Bill 1. It is a good bill. It started as a Liberal initiative and it is the government's privilege, as I repeat, under its stewardship to have it carried out. But let them remember, the people

across Ontario are expecting a great deal more from them in the months and years to come, if not right now.

The NDP, if I may remind the House, has proceeded with a number of Liberal initiatives this fall, for example, the government ministry relocations, the transportation plan for Metro, religion in the public schools and extension of the French-language school board. All of these were indeed just passed through.

We are pleased that the NDP has had the good judgement to continue on the course we began. But we are disappointed that after their very strong promises of fair taxes—indeed, they used the words "fairer taxes" in the election campaign—the New Democrats have not yet begun to honour their commitments, even though they have introduced into this house two tax bills. People across Ontario were expecting a great deal from this new government on taxation. In fact, it was one of their main platforms. How many times did the NDP demand that those working at the minimum wage should be exempt from paying Ontario income tax? Yet we get Bill 11. How many times did the Premier promise fair taxation? How many times did the Premier promise tax fairness?

Nobody expects miracles to be performed overnight. Nobody expects the NDP to complete its full Agenda for People before Christmas. But as the member for Markham said, when are we going to see some real reform, even indications that there will be real reform? People across this province expected a little bit more from the Premier, from our Treasurer and from the Minister of Revenue. But what have we got? Three months later and again tonight the Minister of Revenue promises, promises, promises. Not yet have we seen one kept, but we are being told to trust that promises will be fulfilled: some platitudes in the speech from the throne, some rumblings about establishing a Fair Tax Commission, some controversy surrounding the appointment of that commission, and not even half of the tax revolt that was promised on the GST. All of these facts aside, Bill 11 is likely going to pass as it is, a small step in a great time of need.

1830

Now I would like to focus my concern on the fact that many of the people this bill is intended to support may find that accessing these benefits is more than complex. The income tax form is certainly threatening. Just the first page—if you look at the size of the print and the number of lines and figures, you have to go through four full pages, and then in the middle of the page, without any highlighting at all you have a little word, "Inquiries," and beside that, again not highlighted, in the same-size print, telephone numbers. It seems to me that this is not of one bit of assistance to the people who will be accessing this bill. I beg of the minister to consider making that fine print a lot bolder.

I strongly recommend that in implementing this taxation bill, the minister do everything in her power to make it possible for those people for whom it was designed to access it. If that is not completely done, I am afraid this bill will not achieve its purposes. I may suggest that the people who work in communities with the low-wage

earner and indeed the industries that employ these people could help her in that endeavour.

It is essential that a strong communications program be put in place immediately, as this bill is going to take effect immediately, and that the recipients of this bill and those who work with them and for whom they work be given full knowledge and notification of this legislation. If this legislation is truly going to help the people it was designed to assist, it must be accessible. Indeed, that is one of the words this government likes to use about itself. I would have hoped, when I went for my briefing on this bill, to have seen a public relations-communications strategy presented. But when I asked the question, it looked as if it had never even been thought of, and that disturbed me greatly.

In closing, although this bill is a very small step, a very small bite in a great problem in this province for those in greatest need, the least this government can do is make this bill accessible to those it was going to help. I hope the minister will quickly develop the communications strategy I am suggesting and that Bill 11 will have as its policy a communications strategy that is second to none.

Mr Stockwell: Thank you, Mr Speaker, for the opportunity to speak to this bill. It is the kind of bill I think everyone will endorse and support. It is the kind of bill that would certainly help—they mentioned, I believe, 225,000 separate tax filings or 115,000 families which will be affected by this. It is the kind of thing that is certainly accepted, but the difficulty I think we have with this particular bill is how it fits, as the member for Markham was suggesting, into the whole scheme of the ideology or approach to the concerns of the residents and the economic factors and the recession and all those things the Treasurer spoke of earlier.

Where does this process fit in with respect to that? Is this the first block in a series of blocks that is going to build our way out of this difficulty we are in? Is it a block that is going to affect a great number of people across this province so they will have more disposable income, maybe a higher standard of living, etc?

It just appears to be a piece of legislation that was sitting on the desk of the minister after the Liberals left, so she picked it up and said: "My goodness, this is interesting. Let's table it." That appears to have happened. They have tabled it and it is here. I was expecting a long discourse from the minister outlining exactly how this is going to be one of a number of building blocks, amendments to the Income Tax Act that will in effect change the course of history in Ontario so we may now see the true NDP and their platforms and policies. But apparently not; this is just something she found and now we get to read it today.

I think the critic for the Liberal Party was quite correct in suggesting that it really does not appear that there is a process or program available to this House to review and see how this is going to kick off this new economic revival promised to us from this labour party if it is obviously not.

One can review the Agenda for People and try to follow through exactly where this will fit in with their other

commitments. Apparently, we are not going to see a—was it a flurry of legislation before Christmas?

An hon member: Blizzard.

Mr Stockwell: That is it, a blizzard of legislation before Christmas. I should tell the folks not to worry and not to get their shovels out. It is just not as bad as we thought it would be. It was just a warm front passing by, apparently. This blizzard of legislation has barely been a trickle. In fact, I do not even think I will have to go up and empty the eavestroughs on this one. It does not seem to be occurring, and it is disappointing.

I am disappointed because I thought this government, once elected, would establish and mark out its philosophical territory. Some of the first pieces of legislation to come before this House, I thought, would be something we could get our teeth into, to understand where they are going. The people of the province could really understand exactly what they elected. But basically, we hear from this minister and others vague responses surrounding the Agenda for People that have absolutely no bearing on what they said in the election. It is very frustrating, not only for members in the House here but it must be frustrating for the backbenchers in the NDP caucus, it must be frustrating for the supporters out there who work so hard for this labour movement that got elected.

Having seen this bill that has been put forward, which includes somewhere in the neighbourhood of \$44 million in adjustments and so on, it certainly leaves me with the impression that maybe they have rethought their strategy. In the Agenda for People, their strategy was clear, concise, simple and to the point.

Mr Jackson: What is simple?

Mr Stockwell: They have cornered the market on simple, as well as compassion, they claim, but it is certainly not anything they have brought forward to this House. There is no mention of a lot of these programs. Any programs the government has addressed has been done in such a watered-down version of what it had written in the Agenda for People. It is laughable, absolutely laughable. The government would be drummed out of the city of Toronto council if it called itself NDP. They would not have them there. The government is not NDP; they would call it Liberal. If they passed this to the city of Toronto council, this bit of pap, they would be drummed out. Jack Layton and the folks would get together and drum them out.

What we get here today is a combination of Liberal and NDP clothing. That is what we are dealing with today. Bill 11 is the perfect example, one of the best pieces of legislation they can come up with, and what are we talking about? We are talking about \$44-million adjustments in application of the tax.

1840

It seems to me that our blizzard has not occurred. We would be interested to see when the blizzard is going to happen. We would be really interested to see when the Agenda for People is going to be instituted. We get vague promises and vaguer answers from the ministers, including the Minister of Labour, who is minister of vague, I sup-

pose. I do not think there is anything he has answered that would be even remotely close to this agenda they all signed. There are other words I can use, but I decided they are unparliamentary.

We will support Bill 11. We will accept the fact that there must be a game plan, although no one knows the game plan. I do not think anyone on that side of the House knows the game plan. There must be a game plan kept in the Premier's house somewhere and he is going to pull it out in the new year and tell everybody. I think the Minister of the Environment is really interested in what the game plan is, because soon we are going to have to tie her down if she continues with these Peter Pan ideas about landfill sites, because she is floating away.

And now comes the Income Tax Act, this plank they ran on. Realizing that there are flaws in the income tax, they told the people: "We'll fight for you and make those pay who should be paying. The poor shouldn't be paying all this money." What do we get? This little two-page bit of nothingness that was left over from the Liberal government.

We will endorse it. We are still curious about when they are going to come out with something substantive. We are really curious about when they are going to do anything—it would be kind of neat to find out—and when finally they could all keep their Agenda for People. Maybe a couple of these ideas they would like to institute, because I know the few people who voted NDP in my riding—very few, mind you—would be really interested in seeing when they are going to do something substantive.

Mr Hope: As usual, we hear support but we hear opposition to the bill. To those families who are in that range, who bring that kind of money home, this is something that is of importance. We talked about the number of children involved, 250,000, who will have some kind of recourse to getting maybe a decent piece of food on their table. That is more important than anything, and what we are trying to do is encourage and build a foundation.

It reminds me of a horse race. They have blinders on and cannot see past the blinders. It is important that there is a foundation-laying. If we had walked in here and the Treasurer had put out a great, big agenda for people right off, I suppose most of the people of Ontario would have had a heart attack. They are telling us in our communities to just take it easy and implement things slowly because there is a recession, that we must do things in a progressive way instead of an overreacting way.

It is good to see that the opposition parties still have the Agenda for People in their hands, because in four and a half years they will probably forget about it and not refer to it any more, because probably the Agenda for People will be fulfilled and they will start to wonder, they will have to find some new excuse. It is good to see that they do carry it around, and I am proud they do.

In comments made about the people who are affected by this legislation, we talked about the forms that were produced. Yes, there have been a lot of people who have not known about benefits provided for them, and it is going to be our obligation and I know it is my obligation to make sure my constituents know that small print is

there, it is for their protection, and it is for them to fill it out. My constituency will see it and will know about it. I do not need somebody else to communicate for me.

Mrs Y. O'Neill: I, too, am awaiting. I want to read from the Agenda for People, from page 1: "We are proposing that individuals or families living at or below the poverty line should not pay Ontario income tax." The incomes the minister and I referred to today are at or below the poverty line. "The cost of this move for the current tax year is estimated at \$200 million," exactly what was said on 25 April. The facts seem to be the same as the member for Etobicoke West has said, but the activity to respond to these seems to be very different from what we have heard from this government and throughout this entire year, whether the members were in opposition or running to become government.

This is very disturbing. I hope the Minister of Revenue is listening very closely. She needs a plan. Taxation is certainly one important way in which we could get this province on the rails. Certainly it is one of the most important ways in which we could get the poor back into the mainstream. Economic recession is affecting everybody but it is mostly affecting the poor. I hope there will be some creative tax reform that will stimulate this economy again and will help those in most need.

Mr Stockwell: When is the government going to get tired of giving us this pap that it is going to institute this stuff in due course? They are not going to institute this stuff. I think their Treasurer has been very clear. Read the Agenda for People. Interest rate relief: Where is that? We are in the middle of a recession. Where is the business interest rate relief? Where is the special interest rate for homes? This is from the government's Agenda for People: small business assistance, driver-owned insurance, job protection, training and adjustment, minimum wage, pay equity, child care, employment equity, poverty. It took a whole page to go on poverty. Rent controls: They have already backtracked with their moratorium.

They keep saying: "We'll do it in the fullness of time. We don't want to institute this right away because people in Ontario would have heart attacks." This is craziness. The government ran on this document. They spoke to the people, they made promises they are not even remotely prepared to keep, that they know they cannot keep. The Minister of Labour knows he cannot keep his promises. The Minister of the Environment publicly has admitted she could not keep some of her promises. The Treasurer has stated, "We will not have all the money for all the promises we made."

Do not give me this, "We are going to fulfil the Agenda for People." Do not tell me about building planks. They have built nothing. They have brought forward Bill 11. Although I understand that certain families are affected, and it is good to see, that is not a plank to rebuild this economy. It is not servicing the people they are suggesting they are servicing. They continue to ply this pap, this left-wing pap, and I guess I am getting sick of it.

Did they write this for any reason other than to get elected? I guess that is the real question. Apparently not,

because all they have done is say, "We can't fulfil the promises we made." And remember what their Premier said about Mr Peterson last election, when he did not fulfil his promises. Maybe they should be calling him the same thing.

Hon Ms Wark-Martyn: I know everybody over there understands. I feel I would just like to talk and be on TV; I do not know.

Under the Canada-Ontario tax collection agreement for personal income tax, Ontario has an obligation to keep its legislation in line with the 1990 budget that was proposed. The federal computer systems and returns for 1990, which are to be mailed to Ontario taxpayers later this month, have been established on the basis of the 1990 budget. To deliver this relief the bill must be approved quickly.

The Treasurer's policy for 1991 on personal income tax will be revealed in his 1991 budget. The whole plan of the government will be announced by the Treasurer, the member for Nickel Belt, in his 1991 budget. I am aware that the people of Ontario expect more from the NDP government. That is because the people of Ontario, all the people of Ontario, know that the NDP government will listen to all of the people of Ontario and not just some of the people of Ontario.

The tax policy will be creative and the tax policy will be fair. Our Fair Tax Commission will be that. I will make it possible for those for whom it was designed to be aware of this tax policy change. People—MPPs, MPs—will get notices in their constituency offices. Any social agencies that are on the mailing list, which is most of the social agencies in the provinces, do get notices of there being a change in the tax system and are concerned about the individuals who will be getting this, concerned; they will be getting notices and talking to the people.

Interjections.

Hon Ms Wark-Martyn: I hope the members opposite are all just as excited and rambunctious when we fulfil our Agenda for People and we win the next provincial election so we can get on with part 2 of the Agenda for People.

Motion agreed to.

Bill ordered for third reading.

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EMPLOYMENT STANDARDS AMENDMENT ACT (PREGNANCY AND PARENTAL LEAVE), 1990

Mr Mackenzie moved second reading of Bill 14, An Act to amend the Employment Standards Act with respect to Pregnancy and Parental Leave.

Hon Mr Mackenzie: I am pleased to be able to open the debate on this bill today, and I think it would be only appropriate to point out two things.

One, the thoughts and some of the work on this bill; we never saw a finished copy of it, but I know the previous government was working on it when the election interrupted all of our activities, and we have drawn on some of the information that they were able to pull together in drafting the bill. I want to acknowledge that.

I have to say also that while we may not have agreed with C-21, the federal legislation, because it did a lot of

damage to a lot of workers in terms of the length and the benefits they collected, nevertheless there were some readjustments that were useful; those were the readjustments in terms of pregnancy and family leave which certainly are designed, I think—and I think it was the intent federally as well—to protect and help families and working women in this country. This legislation is necessary to provide the protection that is there for those who take advantage of pregnancy leave provisions in the federal legislation.

I just wanted to acknowledge those two points.

I think the legislation itself is an important step forward in helping parents balance their family life and their work life. I think it is essential that we understand the need for stronger ties in today's world where so many women are in the workplace and where both parties have to work in many of the families and it makes it a little more difficult in terms of establishing the kind of family connections, family ties and family responsibilities and, indeed, maintaining the family unit that is so necessary.

The changes set the stage for a broader review of other ways of supporting working parents, but a little more on that later.

As the honourable members know, this legislation is most timely. It more than covers the period that parents can receive the benefits which came into effect under the Unemployment Insurance Act on 18 November in Bill C-21, which I referred to. Secondly, it recognizes the difficulties parents face in raising families while working full time.

These amendments to the Employment Standards Act will allow more working parents to stay at home to care for their newborn or adopted child. They come at a time when it is increasingly necessary for both parents to work outside the home. Today in 70% of Ontario families, both parents or the sole-support parent work outside the home. This figure is expected to increase to as much as 85% by the year 2000. I think that tells us clearly the changing circumstances in society today.

As equal parents in society, women have the right to work and the right to expect the rewards of a job, a career and day-to-day social interaction. Our society, in fact, would not move ahead if we did not recognize and utilize the contributions of our women members today.

Women also work because of economic necessity. Where once there was a choice, the day, I think, is long gone when the mother could stay at home while the father earned a living that could sustain a family. More often than not, two salaries are needed to keep the family earnings above the poverty level in our province. This situation is compounded by a high unemployment rate that continues to rise. Thousands of Ontario workers have lost their jobs, as businesses are forced to close, cut back or decide to move south in search of cheaper labour.

Sole-support mothers are hardest hit by these ailing economic times. Almost 40% of them in this province work to support themselves and their children, and 40% of that total are ranked below the poverty line in this province. Understandably, job security is a worry to both single-parent and two-parent working families that are expecting a child or are in the process of adoption.

Ontario workers are committed to their jobs and loyal to their employers, but they also want to be able to plan for their futures and for their families' futures. For this reason, it is psychologically and financially important for families to feel secure when a working mother needs to take time off to have her baby and knows she has a job to return to. It is also important that both the mother and father be given the opportunity of taking a reasonable period of time to care for a newborn or adopted child without fear of losing their jobs.

Under the legislation, each working parent for the first time will become eligible for 18 weeks of unpaid leave to care for newborns and newly adopted children. This is in addition to the 17-week pregnancy leave already provided for mothers. For example, in a two-parent family each parent is entitled to 18 weeks' paternal leave. They can take this leave consecutively, providing a total of 36 weeks care to the new child. When the 17 weeks of pregnancy leave is included, the total amount of unpaid leave comes to 53 weeks.

The legislation defines a parent as a person in a relationship of some permanence with the natural or adoptive mother or father of the child. This person must intend to treat the child as his or her own. Adoptive parents are also included. The amendments ensure that seniority and pension benefits will accumulate and life insurance and extended health care will continue during the leaves. This is an improvement over the existing legislation, where these rights are frozen at the beginning of the pregnancy leave period.

Protecting seniority recognizes the woman's permanent role in the labour force and ensures that parents taking family-related leaves are not unduly penalized. Seniority is important for determining layoff and recall rights, promotions and vacations. In other words, they should not be put at a disadvantage by taking this family leave.

Continuation of seniority and some benefits will help maintain the relationship between employees and employers while the worker is on leave. The amendments also repeal the right of the employer to require a pregnant employee to leave because she cannot perform her normal work duties. My government feels the principles of the Human Rights Code should prevail in this matter. The code requires employers to accommodate the needs of pregnant employees unless they can show it would cause undue hardships for the businesses.

At present, employees can start pregnancy leave only up to 11 weeks before the expected date of delivery. The amendments we are discussing today allow pregnant workers to take pregnancy leave up to 17 weeks before the delivery date. This will help working women who experience medical complications during their pregnancies. The employee must give two weeks' notice before the intended date of beginning pregnancy leave. This would be waived, however, in the event of pregnancy complications, premature birth or the sudden coming into care of an adopted child. She must give four weeks' notice before returning to work. These notice periods are an improvement over existing legislation, as well, and will be of great benefit to women.

As to eligibility, the changes will reduce to 13 weeks the time a parent will have to work with the same employer to qualify for leave. This period corresponds with the three-month probationary period common in the workplace today. The current requirement of 12 months, 11 weeks is the longest in the country and overly restrictive. Without our proposed legislation, less than half of working women aged 20 to 44 are eligible for pregnancy leave. That is because only 40% of working women in that age group have job tenure of over 13 months, and we would certainly be eliminating all of these women from the protection needed without this move.

The sharply reduced qualifying time will open the opportunity for taking unpaid pregnancy and parental leave to thousands more parents than is now possible in the province. It is estimated that about 70,000 people will take advantage of the unpaid leaves this year.

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With the changes, this province's qualification period will be among the lowest in the country. British Columbia and New Brunswick have no qualification period, and Quebec has a 20-week period which it intends to eliminate; we are not sure just when.

The changes will be retroactive to 18 November. The effective date for federal changes to the Unemployment Insurance Act is contained in the federal government's legislation. The exception is the requirement that employers continue seniority and benefits. These benefits will come into effect once the bill receives royal assent.

It is urgent, I would stress to the members of this House, that this legislation be passed quickly so that working parents have legislated job and other protection when they take advantage of the unemployment insurance changes. I can tell members there are employees of ours right here in this building and in this chamber who are currently waiting for this particular protection.

The new unemployment insurance rules provide 10 weeks of parental benefits to new parents. By including 18 weeks of unpaid parental leave, our package will provide every qualified parent with the opportunity to claim all 10 weeks of UI parental benefits, and they will still have additional unpaid leave that they can use if they wish.

Under the UI regulations, a natural mother is eligible for up to 30 weeks of combined pregnancy, parental and sickness benefits in a 52-week period. The combined 35 weeks of leave provided by our amendments more than covers the period with adequate job protection.

As honourable members know, many businesses have already provided extended maternity and parental leave with continued benefits. As a matter of fact, it appears to be a fairly large number. This government is committed to improving the lives of working women and men across Ontario. The amendments before the members set the stage for new changes that will arise out of a broad review we are conducting of the Employment Standards Act, which governs basic requirements for things such as hours of work and severance pay. The review will include further consideration of a proposal for five days of unpaid family responsibility leave. This proposal would allow working

people to deal with family responsibilities, be it to assist an elderly parent or to stay at home with a sick child.

In addition, the government is reviewing areas of reform such as child care and access to financial support relating to helping parents balance family and work responsibilities.

The amendments we are discussing today will make Ontario a leader in a number of areas. We will have the longest parental leave available to both parents and the right to continue such benefits with seniority. We believe that parents have the right to job security while staying at home to care for their child after birth or adoption. These amendments reflect the government's commitment to helping working families and its goal of equality for women workers. I suggest that it is a major step towards exactly that goal.

Mr Offer: I am pleased to rise and join in this debate, certainly in support of the legislation. I listened very closely as the honourable minister outlined the legislation and clearly indicated some of the aspects of the legislation. I would like to thank him for the begrudging acknowledgment that this legislation was in fact legislation which we were going to be introducing but, as is quite evident, it required the initial passage of federal unemployment insurance regulations. This legislation could not be introduced, or in fact passed, until the federal government had brought in and completely passed its UI regulations, which has just recently taken place. So the acknowledgement, begrudging as it was, is accepted.

This is, as I have indicated, legislation which our party clearly supports. In fact, not only do we support the legislation, the intent and the wording but we are very much in support of its quick passage. It is an initiative which, as has been indicated, gives job protection of up to 18 weeks to both mothers and fathers in the workforce. Of course, that is in addition to the 17-week pregnancy leave which is currently in force.

I think that this is legislation that first, of course, harmonizes itself in many ways with the federal legislation. It is also a reflection of what the family is in this province in the 1990s and onwards. More families are certainly now composed of parents who both work. There is no question about that. I was recently informed of some statistics that showed that only about 15% of families have one parent working and one at home, something that one might have recognized as the traditional or historical family setup; that is no longer the case. Now we have most families where mother and father or a single parent are working and it is necessary that the job protection aspects of the Employment Standards Act clearly reflect what our workforce comprises, what the movement is in terms of working families.

It is important that there be job protection after birth or adoption to care for a new member or newly adopted child of the family. It will, I believe, provide a good step in the ongoing existence of that family. It is important that both parents recognize, have a security and an understanding that their jobs during this time will be fully protected.

I believe it is important, though I certainly support the legislation, that it is not only necessary to provide protec-

tion for the job; it is, I believe, of almost equal importance that there be a very specific message sent out that it is important to take advantage of this protection. I do not think it is good enough just to have in the Employment Standards Act that protection available to both mother and father. I believe it is the responsibility of the government to send out, in clear, unmistakable terms, that it is important to exercise that new protection under the ESA.

I know that in some jurisdictions where this type of protection already exists, only about 5% of the males actually exercise the protection afforded in the legislation. Five per cent just is not enough. I think it flies in the face of the purpose of the legislation. So I say to the government to work on sending out the message that the protection is available, is there and should be exercised.

As I indicated earlier, we are very much in support of this legislation. We think that this type of protection is necessary. We think that it is important to harmonize itself clearly with the federal UI regulations that have recently been passed. We believe and hope that it will be passed very, very rapidly.

I think, as I have this opportunity of standing here with the Minister of Labour in attendance, we must recognize that there are many jobs in this province being lost, many jobs even since October. Something in the area of 11,000 jobs have been lost. Yes, this particular legislation talks about protection afforded to people with jobs. We must recognize that there are many people who are losing their jobs and as such will have no opportunity to take the protection that this legislation affords.

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So I say to the Minister of Labour it is time not only to make certain that job loss is stopped, is curtailed in this time of recession, but also for the government to start creating jobs, to start getting more people in the workforce, to start getting more people jobs so that they can take the protection of the amendments which he has just introduced, and hopefully to be passed very shortly.

We are in a recession, people are losing jobs. We need clear job creation programs by the government to stop the erosion of jobs on one hand and, second, to create new jobs, to build back that employment force. The impact of that on a family is, I know everyone in this House will recognize, as well as those outside this Legislature, devastating. The pressures, the anxiety, the insecurity are growing each and every day. So yes, we are very much in support of these particular amendments. Yes, we think that the protection this particular legislation provides is necessary, but we also very much believe and very strongly feel that there is the need to create jobs, there is the need to secure the jobs that have not yet been ravaged by this recession. We are calling upon the Minister of Labour, and in fact this government, to provide that.

It is in conclusion that I state again that we support the legislation, we support its purpose, we acknowledge that it was very much in keeping with legislation that we were going to introduce, that it was always dependent upon the federal government's unemployment insurance regulations being passed. That has now been done, the legislation has now been introduced and we would ask all members of

this Legislature not only to support the legislation but also to act for its quick passage.

Mrs Witmer: I would like to preface my remarks by pointing out that I do support the principle of Bill 14. I would agree with the Minister of Labour that it does represent a very significant and a very important step forward for both working men and women who become parents either through birth or adoption. I very much appreciate the job protection that this legislation affords parents.

However, I do regret that there was not more extensive consultation with all of those affected by the legislation and that we have very little time for debate on this bill, because this bill does have some extremely important provisions which will have a significant impact on both employers and employees.

As the Minister of Labour has pointed out, the former Liberal government did release a discussion paper on this topic and consultations were carried out on the basis of that discussion paper. However, that discussion paper differed considerably from the present legislation in two very significant areas: first, the reduction of the qualification threshold from one year and 11 weeks to three months and, second, the provision for seniority and pension benefits to accumulate, as well as other benefits continuing during the maternity/parental leave period.

The consultations of the previous Liberal discussion paper were carried out on the basis of a six-month threshold and a freeze on benefit provisions and seniority accumulation. Obviously, these two changes are extremely significant.

As far as the length of time that we have for discussion in this chamber goes, unfortunately we are being put in a very difficult position. If we do not pass the legislation before Christmas we will be creating in this province a tremendous amount of confusion for both employers and employees concerning the length of leave an employee is entitled to because, as the Minister of Labour has pointed out, this legislation is retroactive to 18 November 1990. Therefore we face a very, very difficult decision. Do we avoid leaving employers and employees in limbo and provide for speedy passage of this legislation or do we fight for amendments to this bill and insist on more public consultation?

As I stated, I support the principle of this bill. I would agree with the Minister of Labour that it does represent a very significant and a very important step forward for women and for men who become parents. More important, it also helps working parents to better integrate work and family lives, it recognizes the reality that many women today are part of the workforce, and it gives them the security of job protection.

I support the addition of the 18 weeks of parental leave for both parents. I believe it is reasonable, and I am extremely pleased that parents are going to have the choice. They can either choose to be with their child for the first year after birth or they can allow someone else to provide that care.

I also support continuing the seniority and benefit accumulation through the maternity and parental leave

period. It is important that these aspects of the parents' jobs be unaffected by the decision to take a leave.

However, I do not support the provision in this bill to reduce the eligibility threshold from one year and 11 weeks to only three months. This change demonstrates very little or almost no concern for small business. It is important to recognize that in this province three quarters of the businesses employ fewer than five employees. These small firms with less than five employees are going to have considerable difficulty accommodating absence. For these people, there is a need to plan very carefully for an absence of an employee.

We must remember also that in small businesses the hiring and the training of employees is usually handled by the owner, and in most businesses it takes people at least three months, or more, to learn a new position. In fact, when I visited a company in my home town last week I learned that it required four months of training to learn a skill. Under this legislation, an employee could take up to 35 weeks of leave, which is almost nine months, after only three months on the job. Obviously when they return, they will have to be retrained for that position. In the meantime a second person will have to be trained for that position and this will incur additional costs for the small business employer.

Yes, the difficulties associated with filling a position after only three months imposes a most unfair burden on small business, and we must be very sensitive to their concerns since they are three quarters of the businesses in this province.

It is for that reason that I would like to inform this House that I will be introducing an amendment to this bill to change the eligibility threshold. Although this bill represents a significant step forward for parents in this province and does provide greater equality and protection for women, it does contain the one serious shortcoming, the eligibility threshold, and I hope the government will be very willing to consider the amendment that we will be proposing.

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Ms S. Murdock: In the world today the reality is that the majority of families in Ontario need more than one wage just to meet the daily escalating costs. For many of them this is not a choice, this is a necessity. Each year the number of families with both parents working increases. As well, as the single-parent incomes have grown dramatically.

Bill 14, this bill, is aimed at alleviating some of those home pressures. It is a step towards an equitable balancing between your work and your family life. It also allows parents to spend time with their newborn or their adopted child during that child's most vulnerable period and it also allows them to spend that time without fear of reprisals from work. I think that is the most important part of this whole bill, in terms of Bill 14. It is not just an arbitrary or draconian measure, it is just a recognition of the changes that have occurred in our society. I think its intent is to rectify some of those negative changes and the side-effects of the societal changes that have occurred in our lives.

Under the new legislation, each working parent will be eligible for 18 weeks of unpaid parental leave to care for newborn or newly adopted children. This is in addition to the 17 weeks of pregnancy leave already provided for the mothers. It is important that both parents be given the eligibility for parental and family leave. As society has recognized the importance of women in the workforce, we are also at last recognizing the importance of fathers in the upbringing of their children, especially during the first year of the child's life. Equally important, both adoptive parents should be able to spend time with their new children to establish the relationships that are so important as the child grows.

Bill 14 is also intended, as I said, and in my belief very importantly, to help protect the jobs of new parents. While acknowledging the need to provide a secure home life, we also must provide security at work. Parents must be assured that their jobs, their source of income, will not be endangered while they provide the care that their new child requires. They must also be assured that the seniority and other benefits that they earn during the normal course of their employment continue.

Seniority is one of the most important facets of the employer-employee relationship. There should be no penalty, in our view, imposed for what is a natural function of human life. Seniority determines vacation scheduling, promotion possibilities, layoff and recall rights and a host of other job-related prerogatives. Bill 14 addresses those concerns.

It is a recent phenomenon that women have entered the workforce in such large numbers. The rights that they have attained cannot be lost or frozen simply because they have decided to become mothers. Bill 14 ensures that certain benefits and seniority will continue while either the mother or the father takes the unpaid family leave. This way, people will not be penalized for deciding to have a family.

The overriding concept of this bill is fairness. We cannot on one side say that yes, women should be in the workforce and they should be treated equally, we cannot be talking about pay equity and then, on the other hand, simply permit them to lose their rights if they opt to have children. Nor can we exclude the fathers from those same parental rights.

That is why we are presenting this bill for approval. I urge all the members to support it. It is a timely and necessary piece of legislation. Quick passage will definitely assist the working parents of this province.

Mr J. Wilson: I welcome the opportunity to comment on a bill that has far-reaching social and economic impact. I do not think there is, nor should there be, a member in this House who disputes the need for legislation that provides working parents with the support to nurture their child while maintaining the security of employment.

Industrialization has carried with it a myriad of pressures that have served to weaken the family. With that in mind, I would like to praise this government for putting forward legislation that recognizes the need to fortify the family. The strength of our society has been and will continue to be deeply entrenched in the family. But our job as legislators is to ensure that every piece of legislation we

agree to is both fair and justified on the grounds that it is the best remedy under the existing circumstances.

I wonder if the amendment to the Employment Standards Act in its current form enables us to fulfil our mandate as legislators. While I am not arguing with the basic premise of this bill, I do not feel that it is both fair and the best possible piece of legislation under the circumstances. Therefore, it does not pass the test of good legislation. In the final analysis, Bill 14, with all its good intentions, fails to strike an effective balance that is fair for both employer and employee.

In my capacity as Progressive Conservative critic for the Ministry of Tourism and Recreation, I have had the opportunity to consult with small businesses and tourism operators and the message they have given me is threefold. First, the NDP government failed to consult with tourism operators in advance of the Minister of Labour tabling the contents of Bill 14. Second, no impact study was undertaken to document the effects this bill would have on small businesses and tourism operators. Third, certain provisions of this legislation will have a profound impact on these types of businesses.

A release announcing the government's new legislation regarding parental leave, dated 22 November, stated, "In announcing the proposed amendments, Labour minister Bob Mackenzie told the Legislature today the legislation would guarantee parents' right to continuing employment after return from leave."

Once again, the premise is fine, but the reality of our present economic situation could paint a vastly different picture. This government has to begin to realize that squeezing the social assistance net too tightly could lead to additional unemployment, given the economic climate we find ourselves in today. Guaranteeing the right of parents to return to jobs is one thing, but what is the minister doing to guarantee that parents have jobs to take leave from?

My fear is that Bill 14 in its present form could be the final straw for many embattled small businesses and it could in the final analysis wind up costing jobs. All of us in this House must be aware of the precarious state that small businesses find themselves in. The number of companies that declared bankruptcy in October 1990 jumped by over 50% from October of last year.

If Bill 14 is found lacking, it is because it fails to factor in small businesses and tourism operators. Under the present legislation, women must have worked for the same employer for 12 months and 11 weeks. Under Bill 14, that threshold of eligibility is carried to just 13 weeks. If the government had any interest in consulting or any concern for the opinions of Tourism Ontario and the Canadian Federation of Independent Business, it would have realized the changes needed to this bill.

Perhaps I could share with the minister and the government members here the sentiments expressed to me by Tourism Ontario. Let me quote from a statement they issued regarding the proposed parental leave legislation: "No small business in our industry can afford the luxury of extending the proposed unpaid parental leave to workers without probable business and service interruption."

What that means is, there will be a severe impact to tourism operators from this legislation. The question that I would ask is, can we afford another blow to our economy?

The Canadian Federation of Independent Business estimates that 75% of Ontario businesses have fewer than five employees and that 96% have fewer than 50 employees. Altering the threshold of eligibility for unpaid parental leave from 12 months and 11 weeks to just 13 weeks makes it virtually impossible for small businesses and tourism operators to maintain a steady, reliable workforce.

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In the hospitality industry, the quality of the workforce has everything to do with the viability of the business. For the last four years, tourism operators have had to scuffle to overcome the scarcity of good help. Bill 14 ensures that this struggle will continue. Couple this with the fact that small business owners will not only have to train replacement workers more often, but will also have to shoulder the costs associated with training a workforce that is subject to a higher and higher turnover.

Assuming a tourism and small business employer is fortunate enough to find a replacement worker to substitute for the worker who is on maternal or parental leave, under Bill 14 is the employer legally exempted from having to pay for severance or for wrongful dismissal when the temporary worker is then terminated? As well, what happens if the replacement worker becomes pregnant or an adoptive parent? Will she or he also have their respective benefits extended while on leave? How is the government planning to protect a potential employee who may be pregnant or may be planning a pregnancy shortly after she is hired? Employers may hesitate to hire women for fear that they will take pregnancy or parental leave after completing their initial training.

These are all problems associated with an unrealistic and potentially harmful threshold of eligibility, which requires that an employee only be employed with the business for 13 weeks before being entitled to take a 35-week leave. With the economic climate such as it is, can we afford to roll the dice with our small business people? I say we cannot. The threshold of eligibility for parental leave benefits must be amended from three to nine months. At the very least, some sensitivity must be shown for tourism operators and small businesses that are on the edge of economic ruin.

When the minister rose to make his announcement in the House some three weeks ago, an exasperated plea echoed through the halls of Queen's Park. The plea grows larger by the day as small business attempts to find out where it fits into the NDP's Agenda for People.

The government's message to small business that benefits will accumulate during parental leave is tantamount to an oversized bully kicking sand in the face of the 90-pound weakling, only this time the weakling has absolutely nothing left in his arsenal to fight back with because this government and the previous Liberal government have stripped him of all his resources by taxing and legislating him into the ground.

The best way to ensure a more compassionate and prosperous Ontario is to embark on policies that represent all Ontarians. Towards that end the government should move forward with Bill 14, but with several critical amendments in place.

First, the threshold of eligibility for parental leave benefits, I believe, must be nine months. Second, I believe benefits such as seniority, life insurance and extended health care must not accumulate during leave, but should be frozen. The accumulation of benefits will cost employers between \$140 and \$160 for each unpaid leave. That may seem like a paltry sum for large employers, but I suggest that it is courting disaster for tourism operators who are hanging by a precarious economic thread currently.

Third, I believe this bill should not be held up, and with that in mind the parental leave changes should be restricted to the federal level of 10 weeks. It is important that we free up access for parental leave immediately, but that we do so in a prudent fashion. This government should not hold a dagger over our heads to push through what is a well-intended, but flawed piece of legislation.

Perhaps the government should also be aware that a 13-week threshold of eligibility for parental leave could jeopardize the employment prospects for women. Again, already some small businesses are suggesting that they may not be able to hire women as a direct result of Bill 14. By addressing and amending the flaws in the bill the government can send out a message that has been previously forsaken, that this government will consult on legislation.

In order for Bill 14 to work it must address the whole of society. By acting on these amendments, this government will demonstrate its willingness to accept the responsibility of acting with the interests of all Ontarians in mind.

Mr Jackson: I wish to acknowledge the Minister of Labour and his Bill 14. I am quite familiar with the intent and the objectives of this labour bill. However, from my personal perspective I tend to try to look at legislation from the point of view of whom it really affects. In this instance, I find that the debate in the House on this particular bill is noticeably absent in its implications for children in this province.

There is a long list of studies and reports that have been undertaken in the last decade that deal with the issue of child parenting and child nurturing, support that assists children in their formative years. I shared a six-year experience on the social development committee when there were some occasions, with my friends who were then in the opposition and with the then third party, most notably the member for Scarborough West, to examine a couple of very important recommendations that would structurally alter the way we provide these kinds of services to children. I am fascinated that the New Democratic government is addressing those from a labour perspective. I am not surprised; I am just very fascinated that this becomes its focus.

I, for one, want to support the bill and I will, but I believe that the approach taken is more interested in addressing a labour issue than it is specifically to look at

children's needs. How I come to that conclusion is simply that the opportunity afforded here is obviously unpaid leave and protection for the seniority rights and all those labour matters that have been enumerated by the members of the NDP government.

What it does not discuss, for example, is, who is going to take advantage of this legislation and who is going to benefit from this opportunity. One cannot say that all children in this province, all newborns, will. In fact, only those children whose parents are wealthy enough will be able to benefit because they can afford to be without income for 28 weeks, go on some other rotation and perhaps survive on one income or sustain themselves on one income or even, for some even more fortunate, sustain their lifestyle without any income during that period.

What concerns me is that this may not have been an intended purpose, but it certainly is going to be an outcome. It strikes me that the very children in this province who need that kind of nurturing, attention and support in parenting programs and a whole host of other things the member for Scarborough West, when he was the member, and I talked at length to in the social development committee—we know, for example, of the thousands of children in Ontario who go to school every day hungry. We know that children, regardless of income, suffer certain conditions in the family setting. But we know that if the family is poorer, the child goes hungrier.

Just the other day I was referencing a report on food banks. The member for Hamilton West talked most eloquently about the need not to fund food banks in his report. But there was a section in that report that talked about the practice of mothers with newborn babies watering down their formulas and doing certain things to survive, quite frankly at a lot of expense to the family, but the child just is not getting that kind of attention. Those are the kinds of issues we should be discussing here.

1940

I very much see this as a bill for those more affluent parents who have an opportunity to take advantage of the opportunity that is being provided by the NDP government. Given the socialists' infatuation with universal programs, I am not surprised. I do not subscribe to that. I happen to believe that the poor need focused support and focused attention. It is a theme that I will address later on this evening when I talk to the Minister of Housing on Bill 4, another universal program, because his rent control programs are specifically hurting the poor, but my wealthier tenants are very happy that they are able to go to Florida this winter and their rents have been capped.

I know you want me to stay on topic with the bill, Madam Speaker, and so having first made my point—

Interjection.

Mr Jackson: Well, the member for Halton Centre can have an opportunity to tune in later. I know she does not agree with my strong views on support for children.

Anyway, having said that, the second point I want to raise that concerns me is the issue of the definition of "parent." I know that this legislation was prepared quickly and presented to the House with little consultation. That

point has been made. But under certain circumstances I think we should be discussing this concept of the broadened or expanded version of "parent." The way I read this section, anybody who has a specific relationship with a parent and wishes to act in the capacity of a parent would be eligible for this leave.

There are a couple of examples I know in my own riding that concern me which might lend themselves to this. One is the case of severely disabled children. I am afraid to say this, but there have been cases where there have been marital breakups as a result of the birth of a severely disabled child. We have had cases of that. In those circumstances, part of the support group is other family members moving in to help raise the child. Under this definition I am not sure if, for example, a sister who lives under the same roof and who acts in a parenting capacity would now be eligible for this leave. A single parent: Would this now allow, for example, a grandparent to be eligible for this leave?

I know the minister is listening and I hope that he or his ministry staff will provide an answer for the record, because as it relates to the disabled community, I very much support the expanded definition because of the circumstances families find themselves in when coping with the newborn child, whether it is with Down syndrome or any other of a whole range of severe disabilities that make the whole process of parenting that much more difficult.

The only reason I raise those two points is that I think it is important we understand that this is more a labour bill and less a bill to deal with providing greater access for children in this province who need it the most. I am rather disappointed that this eventually will be implemented in a way in which the families of those children who have the great fortune to be born into affluence or born into comfortable circumstances in life may be able to benefit from this bill, but the families of those children who are not—we know that today in Ontario that represents a growing number of children who are born in this province—will have no hope of ever participating in this kind of legislation. They unfortunately will be the lesser to benefit for it.

I would hope that when the NDP government looks at legislation not just through the eyes of a labour perspective, it will look more clearly at its impact on children so that we might get some future amendments that deal more directly to support those children in need.

I wish to commend the minister for the bill and I certainly will be supporting it.

Hon Mr Mackenzie: I have been following the arguments and comments made. Certainly we will be taking a look at them. I want to respond just briefly to two or three of them and then make a few closing comments.

I am sorry the member for Mississauga North thought that my comments were grudging. Maybe it is Mackenzie style; I do not know. We did not have a finished bill that we could have used or we would have been here even more quickly with it. We did have the results of some of the consultations that went on. I can say to some of my Tory friends that those consultations were fairly extensive. While there were preferences for time frames, there was a

discussion of all of the various options in the course of consultation with the various parties.

I can also tell the member for Mississauga North that I am aware of the need to get the word out that these kinds of important benefits are there to protect people.

On the comments of the member for Simcoe West, I think it was, no employer will be required to provide benefits if the employer does not now do so. I would just make sure that he recognizes that particular point. Only employers who presently provide certain benefits are required to continue them.

In terms of the qualification period, in only two provinces, British Columbia and New Brunswick, as I mentioned, is there no qualification period whatsoever. While it is currently a 20-week period in Quebec, the information we have, although not the time frame, is that it will be moving to a zero qualification period as well. I can tell the member that our checks with BC and New Brunswick have indicated no difficulty even with the zero qualification period.

I think the difficulty in looking at it in that way is that you certainly are discriminating against an awful lot of women. Yes, there is an additional problem from time to time with the smaller businesses, but those very women in the smaller businesses are often those who have the least clout and need the protection more than many others. It is why we have made the move that we have.

If I can just make a few closing remarks, I have heard what my honourable colleagues have said about these changes. They are wide-ranging and they are important to women. As I said in my earlier remarks, Bill 14 is a timely piece of legislation. It is closely tied to the recently enacted federal amendments to the Unemployment Insurance Act and recognizes the mounting difficulties parents face in raising families while working. Several people have referred to that. It is a valid and I think the most important argument that you can make.

The amendments provide that working parents will for the first time become eligible for 18 weeks of unpaid leave to care for newborn and newly adopted children. This provides the father with an opportunity to be actively involved in the care of his child during a critical time in the baby's life as well. The new parental leave will be in addition to the 17 weeks of unpaid pregnancy leave already provided by the Employment Standards Act. It will apply to both natural and adoptive parents. The legislation guarantees working parents the right to return to their regular jobs when the leave ends.

As honourable members know, the provisions more than cover the length of time parents can receive benefits under changes to the Unemployment Insurance Act that came into effect on 18 November. I urge speedy passage of the legislation to ensure that working parents have job and other protections when they take advantage of the UI benefits.

Once passed, the addition of parental leave and other key provisions will be retroactive to 18 November, the effective date for federal changes to UI benefits. This means, I should point out, that a mother who gives birth after 18 November can immediately take advantage of the

18 weeks' parental leave and can apply for the 10 weeks of UI benefits. The father can either take 18 weeks at the same time as the mother or immediately after her parental leave ends. He is also entitled to 10 weeks of UI benefits.

The amendments reduce to 13 weeks, which I discussed earlier, the time parents will have to work with the same employer to be eligible for leave. At present the qualification time is more than one year. The reduction will open the opportunity of taking unpaid pregnancy and parental leave to thousands more parents. One of the things that did disturb us was the number who are currently disqualified as a result of the period of time that is there.

In addition, Bill 14 provides that seniority and pension benefits will accumulate. Life insurance and extended health care will continue during the leaves.

All amendments except those dealing with seniority and benefits are retroactive to 18 November. This will help working parents in using the UI benefits.

Bill 14 is an important step towards helping parents balance their family life and their work life and I urge the honourable members to support it.

Finally, as a comment, I would point out to the member for Burlington South we recognize that well-to-do people probably will have an advantage in any legislation of this kind, and it is one of the reasons we intend to look at the kind of coverage that is needed in terms of families and the importance of being there when the children are born and during the early formative years of a child's life. We will be taking a look at that critical time of family life.

Motion agreed to.

Bill ordered for committee of the whole House.

1950

NIAGARA ESCARPMENT PLANNING AREA

Mrs Grier moved resolution 5:

That this House approves the orders made by the Minister of the Environment published in the Ontario Gazette as Ontario regulation 506/90, amending Ontario regulation 684/80, and as Ontario regulation 507/90, amending Ontario regulation 684/80, for the Niagara Escarpment planning area.

Hon Mrs Grier: This is a very routine motion. I am executing an order first signed by the member for St Catharines and adding to the Niagara Escarpment plan area two areas, one in the county of Grey and the other in Hamilton-Wentworth. According to the Niagara Escarpment Planning and Development Act, such regulations have to come before this House. So it is a fairly unusual procedure but, at the same time, a very routine one. I urge the House to adopt the resolution.

Mr B. Murdoch: I would first like to thank the minister for bringing the resolution forward. I do support it. Grey has wanted this resolution brought forward for more than two years, but with the incompetence of the past Minister of the Environment and his apparent vendetta against Grey county, this has not happened until now.

I would also like to put the ministers of the Environment, Natural Resources and Culture and Communications on notice that Grey county does not intend to retain owner-

ship of this land as a public park. We feel the province should buy this land through the Ontario Heritage Foundation for the park system in the Niagara Escarpment.

Mr Bradley: Madam Speaker, you would anticipate that I would probably be supporting this particular motion, which I think is a very progressive motion on the part of the Minister of the Environment of the day, the member for Etobicoke-Lakeshore.

For some time I have been a very strong advocate and supporter of the Niagara Escarpment Commission, and I continue to be. I know there are forces within the province of Ontario that would like to see the Niagara Escarpment emasculated or dismembered. I just heard a comment about the previous Minister of the Environment that came from the member for Grey. The member for Grey, of course, was very supportive of many of the planning changes that have taken place over the last while in the county of Grey, and certainly he could never be counted upon to be a supporter of the Niagara Escarpment Commission and the Niagara Escarpment plan, a plan which I believe is extremely important to the province of Ontario.

I find it interesting that there is this kind of criticism because we—all members of this House, I think—recognize that there is natural beauty in the Niagara Escarpment and that it is in fact something that is protected and has had the support from time to time of all three parties and various ministers of those three parties. I was pleased that the previous government transferred responsibility for the Niagara Escarpment Commission from the Ministry of Municipal Affairs to the Ministry of the Environment, where I think it belongs, certainly in the 1990s, because we are in fact protecting the environment of the province of Ontario.

I have been extremely disturbed to look at some of the patterns of development that have been taking place along the escarpment from time to time, or the attempts to change zonings within that escarpment and some of the planning decisions which have been made for some period of time. I note with a good deal of interest how some of those changes were made, how planning people who were in favour of restrictive planning in fact had their minds changed or, if they were not in compliance with it, seemed to leave their jobs.

I noticed on many occasions that some decisions have been taken which I do not think were in the best interests of either the Niagara Escarpment Commission or planning in the province of Ontario. As long as I am a member of the Legislative Assembly of Ontario, I will be an extremely strong advocate of the preservation of the land that is found within the Niagara Escarpment area and the addition of other lands within that area.

I will also be supportive of measures designed to prevent those at the local level who wish to make changes that are detrimental to the Niagara Escarpment Commission and to good planning practices in the province of Ontario. That is one of the reasons I got elected to this Legislative Assembly: to ensure that this would be the case.

A number of years ago a resolution was put before the Legislature by one of my own colleagues; it called for

what I felt was the emasculation of the Niagara Escarpment area. I voted against that resolution in this House. I did so with some pride, although it was annoying to some of my colleagues because, again, I think we have an asset that a lot of other people would like to have. It is something that I do not think should be developed holus-bolus in this province. If it were to be developed in that way, it would be genuinely a tragedy.

I look at some of the efforts to wrest control from the Niagara Escarpment Commission and turn over that control to local authorities. We all know that the provincial authority, whether we like it or not, is much more objective than a local authority can be in this regard. While of course there must be consultation with that a local authority, one has to watch, because it is much easier to manipulate local authorities than it is to manipulate the Legislative Assembly of Ontario to make decisions that would be detrimental to the Niagara Escarpment plan or to good planning practices in this province.

When these areas are included in the Niagara Escarpment, I hope it is not simply a matter of including these specific areas but that, as people come forward with proposals for including other areas within the realm of jurisdiction of the Niagara Escarpment Commission, there will not be resistance to that. One need only look at some of the recent developments that have taken place in the province of Ontario to see that it is not always particularly good for the province as a whole to see a lot of spot rezonings that might take place in any specific case, or particularly severances which are granted almost willy-nilly by some local authorities. Of course, we know that the loss of good agricultural land and other land which is of environmental nature certainly begins with almost unrestricted severances being given to individuals and corporations within a community.

I hope that this government, which I think has pledged itself to the preservation of agricultural land, has pledged itself to the preservation of the escarpment. I have no fear that this government will deviate from that course, which the other government was interested in pursuing and it was one of the reasons, of course, why this particular commission was placed under the jurisdiction of the Ministry of the Environment.

I think what we are doing through this resolution and through the support of this resolution is something that is positive for all of the province of Ontario. I hope it is a basis upon which we can build. I hope we will resist those forces in the province of Ontario which would like to change that. That is again one of the reasons why Ontario is somewhat unique from other jurisdictions.

You, Madam Speaker, and many members of the Legislature will have been in other jurisdictions where there have not been proper planning processes, where you have end-to-end shopping centres or individual developments that have taken place in other jurisdictions. One of the things that people from those jurisdictions, some of them in the United States, will say about coming to Canada and to the province of Ontario is how pleased they are to see that we have preserved some of those lands which are of lasting value to us. I guess Will Rogers was

the person who was quoted in this; others have probably said it. On one occasion he said, "They're not making land any more." That is why it is a valuable resource, and indeed it is.

We look to the future, not just to the past, not just to the quick buck in the present. We look to the future and what is going to be of perhaps not monetary value but some other value that perhaps a dollar cannot be placed upon in the future. I think the people of this province will thank us for including these and other areas and for being very supportive of the Niagara Escarpment plan.

2000

Mr Tilson: I must say, I congratulate the Minister of the Environment for the proposal she has before the House this afternoon.

The Niagara Escarpment does substantially affect my riding, which is Dufferin-Peel; it goes right up through the middle of it and is, generally speaking, largely supported in my riding. I have lived in Dufferin-Peel for a little over 20 years and, of course, during that time, since the implementation of the Niagara Escarpment Commission, I have enjoyed the scenery. I have walked it, I have fished it, I have driven through it. People come from far and wide to see the scenery in our community and we are most proud of it.

Obviously I think many of us in this House and certainly many people in my riding are supportive of a commission that would protect the natural beauty of our province. I can honestly say that I have been, am now and in the future will generally be supportive of the proposals that are being put forward by the Niagara Escarpment Commission and I certainly intend to support this resolution.

The reason I have risen to speak on this matter, however, is perhaps one of a procedural nature and it is one that has concerned me probably since the implementation of the commission, which I appreciate has gone through three different parties. The procedure has to do with two areas; one is of notice to people whose lands are going to be subject to the commission, lands that are regulated by the commission, and the second has to do with the decision-making that is set out in the act.

With respect to notice and with respect to this specific resolution, I hope the people who live in the two areas that are subject to this resolution have all received notice. My understanding from the act is that notice is given by advertisements in newspapers. That is all. So if you own land that is within the area that is going to be expanded or that it is subject to, if you do not read the newspapers in which this regulation could substantially affect your land, you are simply out of luck if you do not read about it.

In other areas—whether it be in the courts, which have to give direct notice to people who are involved, or an application for a severance or an application to change an official plan, amend an official plan in a specific municipality, or an application to change zoning—notice must be given to the people who are directly affected and to people who are within so many feet of the area affected,

whether it is a zoning or official plan amendment, so that those people receive direct notice by mail.

I see that as a flaw in the system, because the ownership of our land in this province is very dear to us, and although I believe many people in the province support the Niagara Escarpment Commission, when it comes to the effect on their own land, if they have not received notice, they will be mad; they will be most annoyed and the value of their land could be depreciated. It could mean they might not be able to build on their land. In fact, quite often you hear arguments that we have expropriation without compensation. That argument has been given in the past.

I think it is a question of there being a proper judicial process, of fairness, of people being able to receive notice of specific proceedings that are being undertaken by the government and are able to appear before the commission or hearing officer or whoever is dealing with it, and putting their representations either in support or in opposition of it. The only notice, to my knowledge, and if someone will correct me I would appreciate it, is notice via the newspapers. I find that totally inappropriate, and I hope that with the specific resolution that is before this House, all have received notice who are entitled to receive it and who may have a direct interest in those proceedings.

The second area I wish to raise in the House has to do with the decision-making under the commission. Whether for a development permit or for an application to expand the size of the area that is under the jurisdiction of the commission, which is this specific resolution, an application is made under the act and that is heard by a hearing officer. If you receive notice, or if you hear about it by reading it in the newspapers or from your friends or your neighbours, then you have the right to attend before the hearing officer, who will write down all the submissions and all the comments for and against. The hearing officer will not make a decision at that particular place. The hearing officer will take his or her notes, go away and supposedly make a decision under the legislation; but we do not know because we cannot appear before that person. We cannot appear before that person to debate whether or not that decision is proper.

The hearing officer takes his or her comments to the minister and the minister, as I understand the legislation, may agree or disagree. But individual citizens do not have the right to make representations to the minister. The minister can make unilateral decisions whether to expand the size of the area or to grant or not grant a development permit, and all that is said to individuals is, "Tough luck." They have no recourse, none.

I understand there is a process whereby if the minister and the hearing officer are not in agreement, the minister can refer the matter to the Lieutenant Governor in Council, and there too a decision is made without being able to hear representations from the people who own the land or parties that are involved. These decisions involve land which they may have their life savings in, which they may have worked very hard on, which may be their retirement land; it may be land they live on, it may be their recreational property, it may be their business—it could be any number of areas which affect them in various capacities, but they

have no right to appear before any of those decision-makers and make submissions for or against the decision that is going to be made. The only thing they can do is receive the decision and, if they do not like it, tough.

I must say I find that procedure under the commission totally inappropriate. I hope, for the sake of the government in making this resolution, that all who are entitled to receive the notice have received it. I hope they will be allowed to make their representations.

I doubt very much whether all who want to receive the notice will have received it. There may be some examples already where people have not received notice of this. I am willing to bet they may wish to proceed beyond the hearing officer, but they will not have that right.

I would hope that this government would take these comments into consideration and make the appropriate amendments to make the commission and all the various decision-making powers it has a little fairer to our society.

2010

Mrs Marland: I rise to comment on this legislation with respect to the environmental interests of all of us in our caucus.

I think it is important to place on the record again the fact that we have the Niagara Escarpment Commission because of the vision and the brilliance of the former Progressive Conservative government in this province. For those of us who cherish what the Niagara Escarpment Commission has been able to protect and what has been achieved through the years of its existence in terms of the preservation of the fauna, the wildlife and the natural resources that are contained within its geographic parameters, I think it is singularly significant that the United Nations recognized the Niagara Escarpment as a unique reserve that should have a very unique designation, that of a United Nations biosphere.

It is with great pride that we think about what the Niagara Escarpment is and how it exists because of the initial commitment of a very few people. It is like so many things that are preserved; they usually are because, almost too late, somebody comes along and says: "My goodness. Look what's happening here. We've got development filling in our marshes, our wetlands, destroying our trees." Suddenly, everything that is valuable in terms of our natural heritage is gone.

Thankfully, we are blessed in this province with people who have that vision in terms of this kind of preservation. There are many, many environmental groups and individual environmentalists and people who are not affiliated with any formal organization who, through their own work and dedication and commitment, have seen to it that these kinds of areas are conservation areas for ever, for the public to have access to in the future and to be protected from the erosion of mankind.

We have a perfect example of this kind of natural resource in the Rattray marsh in my riding. It is a tremendously unique and rare wetland area of 88 acres which originally was saved by the efforts of one individual, Dr Ruth Hussey. When you think of how one individual can make a difference, I believe it should be a motivation for

all of us to believe that we can make a difference. That one individual must have decided, at the beginning of the Niagara Escarpment Commission, that she could see what was happening to the Niagara Escarpment in terms of its erosion, and that once it was lost, it would be lost for ever. That one individual obviously became a catalyst to a group and then an ever-enlarging circle. These ever-enlarging circles of committed people leave for all of us a priceless legacy in our province.

When we see what is happening even along our natural lakeshore on the north shore of Lake Ontario and we look at the fact that very soon we will have nothing but asphalt from Whitby to Hamilton, we sometimes should, I think, reflect on the fact that Canada is a very large country, Ontario is a very large province and, really, does everyone have to live on top of each other in southwestern Ontario? Do we really have to be such poor planners that we end up creating park space by landfilling into our lake? Who would ever have thought that we would see the day where it was necessary to create green space, park land and recreational areas off the north shore of Lake Ontario by landfilling into the lake itself? Those, I suggest, are examples of no vision, no planning and no commitment to providing people recreational areas while allowing people and employment sectors to develop in densely urban areas.

Fortunately for us, however, we have legislation that does protect some of these areas. This piece of legislation in front of us tonight is one such piece of legislation. We support the preservation and continuation of the Niagara Escarpment Commission because of what it is to many, many thousands of people and what it can be for ever as a legacy for people in the future.

In mentioning the commitment and the work towards that commission, I would be remiss if I did not mention the work of my own colleague in this caucus, the member for Carleton. He had a great deal to do with the establishment and the formulation of the Niagara Escarpment Commission and its continuing commitment to preservation of that area.

I rise simply to say that I am happy to see this legislation before us. I agree, however, with the comments of my friend the member for Dufferin-Peel, because I think in anything there has to be an equity of the system enforced. That is simply all he is asking for. I think those are just and fair comments. Certainly overall there is no question that we in our caucus feel very strongly in the majority about the preservation of the Niagara Escarpment.

2020

Ms Haeck: I will not spend a great deal of time speaking this evening on this topic. However, I feel that since the Niagara Escarpment in fact forms the southernmost boundary to my riding, it is really incumbent upon me to add comments to the record this evening indicating my full support for the expansion of the Niagara Escarpment and making sure that over a period of time we increase the enforcement of the regulations that already exist.

As the member for St Catharines so eloquently recounted earlier in his experience as a former Minister of

the Environment that there is still much to be done around this issue, I feel that it really is important for me to lend support to his efforts, as he concluded them in his other role, as well as to the current Minister of the Environment, the member for Etobicoke-Lakeshore. It is absolutely incumbent upon the members here to preserve our natural heritage, and that natural heritage is definitely reflected in the Niagara Escarpment.

I really do also want to thank the member for Mississauga South for her comments, again, a very eloquent and articulate speech, as she has shown herself to be on many occasions in the last few days. But this topic is one that is also close to my heart and I do want to recognize a few of the people in my area who have been working very hard to ensure that the Niagara Escarpment is maintained, if not in fact expanded. There is a Brock heritage area, which is just below Brock University, which they have been working very hard to maintain. The hardwood forest that exists there is one that really is integral to the whole plan and I will be working with this group to make sure we can preserve that particular area.

I do also believe, as the member for Mississauga South said, that the efforts of the member for Carleton should also be recognized, because it was with great foresight that a previous Conservative government did in fact create something that has preserved the natural heritage of this province. It really must be commended. It was hard work and, I understand, something of an uphill battle. I also recognize that within the Conservative caucus at the present time there will be some heated debate around this particular issue in light of the fact that the member for Grey has some rather different concerns from those of the member for Mississauga South and the member for Carleton. But I do believe that the hard work of all members must be recognized, and I do believe that in the end the member for Grey can probably be brought to our side, to our thinking, to recognize that his area of Grey, in order to be the tourist area that he would truly like it to be, has to have a Niagara Escarpment Commission and a Niagara Escarpment to provide clean water and the kind of recreation areas that we have all enjoyed.

Mr Duignan: I will be brief too. I just want to lend my comments and congratulate the minister on this particular motion in preserving the Niagara Escarpment Commission and for her attempts to enhance the Niagara Escarpment and preserve it for our children and their children and make sure that the land and the escarpment stay in their natural state.

I wish too to congratulate the member for Mississauga South, the member for St Catharines-Brock, the member for St Catharines and indeed the member for Carleton for the work they have done in the past in helping to preserve the Niagara Escarpment.

Motion agreed to.

MUNICIPAL ELECTIONS STATUTE LAW AMENDMENT ACT, 1990

Mr Cooke moved second reading of Bill 16, An Act to amend the Municipal Elections Act and certain other Acts related to Municipal Elections.

Hon Mr Cooke: Can I just make some opening comments? As I said last week when I introduced this legislation, the purpose is to make Ontario's municipal election process more accessible to more people and to make campaign fund-raising and spending more accountable. I would like to take a minute to go over some of the provisions of this bill.

One very important provision will give homeless people the same right to vote and run for local government office as anyone else. I know the Liberal critic already warned me that her comment on that will be too that we need to provide housing and I certainly agree, and I would like to have seen more progress achieved over the last few years. But I hope that we will be able to work together to develop strategies to provide that housing for—up to 20,000 homeless people in Toronto is one of the estimates.

Currently, eligibility to vote in municipal elections is based on residency, which is defined in terms of a fixed, permanent lodging place. This definition disfranchises homeless people. The bill will expand the definition of residence. The residency of homeless people will be defined in terms of where they most frequently sleep and eat. Homeless people will not be enumerated in the same way as other electors, but they will have the same opportunity to add their names to the list of electors during the revision period and on polling day.

Our legislation will also make it easier for students and residents of psychiatric hospitals to vote. The amendment will require a supplementary enumeration in September of each election year that will cover on-campus residents of universities and college residences and psychiatric facilities. The supplementary data will be treated as an addition to the preliminary list of electors during the revision period.

Several other amendments will make the local government election process more accessible. Municipalities will be allowed to pass a bylaw to provide visually impaired voters with ballots they can use. These could be notched ballots or templates. While visually impaired voters will still be able to get assistance from the deputy returning officers in marking their ballots, alternative ballots would give them the same degree of privacy as other voters.

Municipalities will also be permitted to pass bylaws to publish election-related information in languages other than English, depending on the linguistic makeup of the community. This will allow municipalities to keep people better informed leading up to the election and may result in higher voter turnouts.

One other amendment is aimed at improving accessibility for the physically disabled voters. The Election Amendment Act in 1988 required that all polling places be accessible to the physically disabled voters in 1991. That allowed municipalities to have a three-year period in which to prepare. Our legislation will give the clerk the power to requisition space in private dwellings of 100 or more units and public facilities for use as polling places. This will provide a larger pool of potential polling places and will therefore make it easier for clerks to meet the requirements of the 1988 legislation.

Several of the amendments relate to campaign financing. The major change in this area relates to surplus campaign funds. This legislation will ensure that campaign funds can only be used for campaign purposes. No longer will candidates be able to keep campaign funds for personal use. Currently, most candidates can keep any campaign funds left over after the election. The amendment will require surplus campaign funds to be held in trust by the municipal clerk for the use by the candidate in the next election. They can also be used to help clear campaign debts from the previous election. Candidates who do not seek office in the next election forfeit these funds and they become the property of the local government jurisdiction. These provisions will now apply to part II of the act, as well as part III, which permits local government jurisdictions to offer tax rebates to campaign contributors.

Another change will raise the campaign fund-raising and spending threshold above which candidates must file a financial statement from \$1,000 to \$2,000. Candidates spending or raising less than \$2,000 will be permitted to file a statutory declaration.

Yet another change will limit to \$5,000 the total campaign contributions made by individuals, trade unions and corporations to all candidates seeking office in the same local government jurisdiction. Although there is now a limit of \$750 on individual contributions to a single candidate, there is no aggregate limit. The effect of this change will be to reduce the overall influence of a single contributor or group of contributors on the municipal election process.

The legislation also removes from the individual electors the responsibility for enforcing campaign financing provisions in part II of the act and places that responsibility on the local government jurisdiction. The new enforcement mechanism will be a complaint-driven process. Upon receiving a complaint from an elector, the local government jurisdiction will be required to take the appropriate action. This could include a compliance audit, if necessary, or legal action, which could be undertaken by either the local government jurisdiction or the provincial Commission on Election Finances. The new rules will not remove any elector's right to undertake civil action if he or she wishes.

Finally, this legislation includes an amendment to the Municipal Act to clarify that council members must maintain their qualifications as electors through the entire term of office in order to retain their position on council.

2030

These changes are a result of extensive consultation. They will lead to an improved and more accessible municipal election process. Obviously, most of the suggestions and proposals in tonight's legislation were prepared by the previous government and a lot of work has gone into these amendments. I congratulate the former Minister of Municipal Affairs for pulling them together.

I would also invite members of the opposition parties, municipal councillors and electors, over the next three-year period as we get closer to the 1994 election, to offer further suggestions on reform. I believe that while these proposals go a long way to clearing up some of the dif-

ficulties under the current legislation, we have many more steps to take to improve the election process and to make sure that the voters of this province can have confidence in the integrity of the process at the municipal level.

Mrs Caplan: As I rise to participate in this debate, I would like to echo the comments of the minister and acknowledge both the extensive consultation that resulted in this piece of legislation, but also the work of Mr Sweeney, the former minister. He had an excellent relationship with the Association of Municipalities of Ontario and municipal leadership right across this province.

This piece of legislation results from many, many hours of work and discussion. I think there was an understanding that the democratic election process is always under review and must always be reformed from time to time, and with a three-year term at the municipal level, it does offer an opportunity for the minister to have those discussions and determine how legislation should be updated in time for the next election.

It is essential that this be passed by 1 January in order that it can be in place for the elections next November. We will of course be supporting it as it is substantially a piece of Liberal legislation.

There were a couple of amendments that I would like to speak to. Before I do, I think it is important to note that this piece of legislation has over 100 clauses and each one of course is significant in and of its own right. It is about greater accountability, both for municipal financing as well as ensuring that everyone understands very clearly what the rules are. That is very important if the voters of this province are to have confidence and to understand the role and the opportunity that they have to participate fully in our democracy.

One of the concerns I have always had is that the turnout at the municipal level is in many cases significantly below some 30%. I would urge the minister, as we consider reform of the municipal election process, to consider that accessibility is one matter that is important, but participation is also extremely important, particularly in municipal elections. Perhaps this debate and this piece of legislation will give us an opportunity to let the people of this province know that next November 1991 will be a municipal election time, that this piece of legislation is available and that people can know what the procedures are, that they can run and raise money and that the Municipal Elections Statute Law Amendment Act will be in place so that everyone will be very clear about what the rules of procedure are. I think it will allow for greater accountability than what existed before the consultation with the former minister.

I know that some concern has been raised by some of the mayors of particularly large municipalities and some of the councillors who have to run across quite a large-sized municipality about the limit for contributions. I would put on the record and encourage the new minister to discuss with those people, particularly in large municipalities, who are finding extensive costs in campaigns in the thousands of dollars, who have suggested that perhaps in those places where the municipality is of a certain size—we know that there is an extensive and significant difference between the

needs of large municipalities and smaller municipalities—he might discuss with them what might be an appropriate level of contributions for those people who are running in very large municipalities.

Clause 68(7)(a) and subsection 87(1) refer to a limit of a \$750 maximum contribution. I know that some of the mayors have expressed some concerns about whether today, in 1991, as we head into the next election, that is a test of reasonableness. Certainly the costs are increasing. This is not in any way fixed to inflation and it should be reviewed. I would stress that this ensures that there is full, open accountability. There is greater involvement by the municipal councils. We feel that is extremely important.

I would say to the minister that there is much work to be done. There are some who are suggesting that not only amendments, but perhaps some significant changes to this act might come about in time for the election some three years from now.

Regarding the special enumeration, I know that municipalities are concerned about the added costs of special enumeration. I have assured them that when in opposition this New Democratic Party was very clear about the fact that it would make arrangements so that municipalities did not have to bear the burden of any additional costs. I am sure the minister will ensure that municipalities are fully compensated for any additional costs of special enumeration. I think we all agree that we want to have as full and complete an enumeration as possible. I know that from time to time there have been some discussions around the costs of permanent voters' lists, and those kinds of initiatives, I think, can be explored as well as the costs of ensuring that the municipalities have the resources they need to be able to do this job which they do so well.

The surplus funds under the Election Finances Act I believe is a particularly important and progressive reform. I want to say that I believe everyone feels that when a candidate raises money, the money that is raised should be for election purposes. It should be fully accountable. If there are any surpluses, it is absolutely appropriate that they be entrusted to the municipality. We believe this is a very important component of this legislation, because I think there were some instances of concern to many of us about how funds that were raised for campaign purposes were in fact being used.

As I complete the debate, I would again like to acknowledge the work of the former minister, Mr Sweeney. I would note, Mr Speaker, that a former colleague of yours from Scarborough, the critic for the NDP, once referred to Mr Sweeney as the most progressive Minister of Community and Social Services the province had ever seen and said that he had the most significant impact on social welfare reform in this province.

It was Mr Johnston who made those very kind remarks and I think everyone agreed that they were very appropriate remarks. I would point out that the contribution Mr Sweeney made as Minister of Municipal Affairs was also significant. It resulted in this important piece of legislation. We will be supporting this so that it can be in place and people can have the assurance and security of account-

ability, accessibility and integrity of the municipal election process.

2040

Mr Ferguson: To comment just very briefly. The proposed changes to this act certainly are not solely the responsibility of the ministry; in fact, the real unsung heroes are the clerks across the 839 municipal towns, villages and cities that have municipal elections.

I think we are addressing many of the concerns expressed by the association of clerks across Ontario through the amendments to the Municipal Elections Act. We certainly will be having a very open dialogue with them after the 19 November 1991 municipal elections. After all, they are the people who are on the front lines when it comes to municipal elections.

Only through their involvement can we address changes that have to be implemented within the guidelines. Through their involvement we also come up with a much fairer, much simpler system that makes it much easier for people to understand throughout the entire municipal elections process.

I think we have to recognize their efforts within this field and we certainly have to encourage them to continue their dialogue with the Ministry of Municipal Affairs so that any unforeseen circumstances that do come about, that perhaps no one may have imagined might have happened, can be corrected for the next municipal elections.

Mr Perruzza: I am pleased to see this legislation before us and I applaud the minister on his efforts to tighten up on some rules that in my view have needed to be tightened up for a considerable amount of time.

Having been a participant on the municipal scene and at the municipal level, I have been witness to some of the abuses in the electoral system now, where municipal councillors who are able to generate large amounts of money to fund their campaigns and then spend nominal sums or are acclaimed in the process, at the end of the day are able to pocket those moneys or proceed to buy fancy cars at the expense of the electorate.

It also provides a venue for developers, and specifically large developers, to essentially make very serious inroads with municipal politicians and municipal councillors in that regard. It certainly gives them ready access to the municipal planning process, where they gain enormous advantage over local communities and the average folk in the average community.

One only needs to look at the election expense forms filed by municipal politicians right across Metro to see the amounts of money that were pocketed by municipal politicians. I applaud the minister on this legislation. I think it is welcome and we should proceed farther in this regard.

Mr B. Murdoch: I am pleased to make comments on this bill. Our party will be supporting this bill in principle on second reading, but I have some serious concerns. As I have stated in the House before, I would hope that we would have some time for further input into this bill. I have three concerns I would like to discuss at this time.

The first concern is the change that would put 1,000 voters per poll rather than 350. This would be unsuitable for rural and northern ridings where there are small populations. Voters would have to travel much farther to vote, with higher gas prices. If the election is called in late fall, in the winter or in early spring, many voters may not go to the polls.

The second concern is the amendment that would not allow voters to sign up for proxy votes at the advance polling dates except in normal working hours. This would put more undue burden on many part-time residents to obtain proxy votes.

The third concern is the enumeration of the homeless. I have grave concerns that this will cause problems we will not be able to undo. I believe everyone should be able to vote but, as this bill is vague about how the homeless will be enumerated, I fear the process will cause vast problems. The bill puts the onus on the municipalities and I believe this is just downloading an Ontario government problem to the municipalities.

We will be bringing in amendments on these concerns at a later date.

Mr Sutherland: I want to take this opportunity to say a few words about how this bill affects students. As members may be aware, before I was elected to this House I was president of the students' council at the University of Western Ontario and I was also the vice-president, external, during the last municipal election campaign that occurred. I had the responsibility of trying to organize students and to get them involved in the municipal elections process. I think members of all three parties of this House would agree that we need to increase the participation rates in our municipal elections. However, it was extremely difficult in trying to get them organized because of the enumeration process.

If members remember, a great deal of the enumeration took place in May and a good number of people at Western switch residences after that time period. They were not in the city of London during the enumeration process. We attempted to try and get a lot more of them enumerated at the time of registration, but we found that our efforts were extremely difficult. In consulting with other university student councils, we found that the co-operation of various clerks in different municipalities varied depending on where the university or college was located.

I think this is a very good step in terms of helping students participate, helping our young people get involved in the political process and making it far easier for them to take on their democratic rights, and also in making sure that municipalities are dealing with issues that affect students in their areas, such as transit issues, housing issues, issues of trying to restrict housing and access to housing for students and other issues.

I want to compliment the ministry for this initiative and for taking into account the interests of students and helping to allow them to participate in the democratic process.

Mr Turnbull: We intend to support this bill in principle, but we have some concerns over the wording of subsection 67(5) of the act in subsection 41(2) of the bill

with respect to the persons who are to act as a voting proxy.

Bill 16 deletes the words that the proxy "may apply to the clerk" and substitutes the wording "shall appear before the clerk in person during normal office hours and complete an application in the prescribed form, including a statutory declaration that the person is the person appointed as a voting proxy."

My point of concern revolves around the fact that this change would have the effect of making proxies in cottage country municipalities travel twice to the municipality where they wish to vote, once to apply during the weekday and then again to vote, probably at the Saturday advance poll. This will effectively disfranchise many cottage owners at a time when we are endeavouring to empower the homeless. We will bring in an amendment to this bill.

2050

Mr McLean: I just wanted to comment briefly on Bill 16. I remember some time ago when the previous Minister of Municipal Affairs brought in a bill with about 42 amendments after about a week when it was initiated in committee. At that time we knew there were a lot of flaws in the bill and it was a major piece of legislation, and it proved to be that there were several flaws in the legislation. So I am glad to see that the minister is bringing in amendments to the act, because there are some concerns that have already been raised.

One of the major concerns I had with the last legislation had to do with proxy voting. There was quite a history about that in Wasaga Beach and Tiny Township—I am sure there were others—and I would hope that this bill would in some way help that process whereby people will still be allowed to have their vote and be able to have a proxy to do that.

In the bill with regard to the maximum number of eligible voters, from 350 to 1,000, does give me some concern. I would have anticipated perhaps 500 would be a more logical figure. There are probably some areas in the province where 1,000 would be all right, but to change it for all of the province, I have some reservations about it. With large cities, I think that may be fine, but if you could have less, then that is all right too. I presume the wording of the bill indicates to a maximum of 1,000. It may cover it in that area, but it is a concern that I have.

The other area is with regard to the homeless. When I looked at that section with regard to the qualifications that a person has to have in order to qualify for a vote, with regard to the five-week period and the most frequent place where this person or individual may sleep or eat, it certainly is going to be very hard, in my estimation, to define who is going to be eligible to vote there. It is going to be difficult to be able to realize how many times this one person could be enumerated. Some of them do move around a little bit. When you are looking at the immediate five weeks there can be a lot of changes.

As my colleague was talking about somebody sleeping underneath one of the bridges, where would he be in two months' time? That section is very hard and I am glad to see that they are getting the support, but I am sure I want it

to be defined where there are 20,000 people in this province who will have the availability of a vote. Make sure that it is done properly.

Those are some of the major concerns that I have with that bill. A major bill of this magnitude should really be out in committee where we can have public hearings and the municipal people could have some input. I am wondering what input the municipal councils, the municipalities, AMO, the Rural Ontario Municipal Association, have had into this piece of legislation. I find it unacceptable that we are to come in here and try to deal with this bill in one evening, a major piece with 100 clauses, and not have it go out to committee and have the municipal people in the province involved in it.

Mr Stockwell: I took exception to some degree to the suggestion by the member for Downsview that all the moneys raised over and above the amount spent were kept and bought lavish cars and so on and so forth. I think that could have happened certainly in some instances, maybe in the city that he ran in—I am not certain; I cannot speak for sure. I know certainly there were some areas, especially in the city that I represented, where in fact more money was raised than was spent and funds were set up in that member's name to be used to benefit a wide range of people. Although the statement may have been intended for certain members he knows, not all were treated that way. I think it is unfair to suggest that all people treated their surpluses in that fashion.

The other concern I have is that if the government is going to legislate certain requirements to municipal candidates and ask them to file and go through a process very similar in nature to provincial candidates, I think the tax write-off should be a provincial one. If they are going to demand and dictate certain responsibilities that municipal candidates have to follow up with, then I think they should also absorb the costs involved.

Clearly, if one is a provincial or candidate, one would get certain tax write-offs when donations are made. In the case of some municipal politicians—and I speak particularly of Metropolitan Toronto—I know full well there are some wards in Metropolitan Toronto where the expenditures are in excess of the amount of money spent to run for the federal Parliament or the provincial Legislature, crazy as it may seem. I know the mayors of some of those cities spend in excess of \$100,000 to get elected.

I think if the government is going to require these politicians at the municipal level to go through all the hoops and all the procedures that provincial candidates go through, with the assistance of riding associations and organizations and party affiliation, then the least it could do is allow the same tax write-offs to take place, paid for by the provincial level of government. The government is asking them to go through these hoops yet is not prepared to give them the same opportunity to write off the expenses.

The other point that I think needs to be made is that in certain municipal wards in some cities—with respect to the point that was made as far as enumerating the homeless—my only concern is that there could be some difficulty with respect to the credibility of the system. I think it is a bold move. It is the kind of thing everyone would like to

see happen, that everybody in a democratic country will be allowed to vote and exercise that option. But I have some serious reservations as to how the government is going to determine exactly where this person is voting and how many times this person may in fact vote.

In Etobicoke and the city of Toronto, I know for certain that movement can be daily, let alone five weeks. I do not know, by enumerating, how the enumerators are going to determine that this person lives there. There could be some very serious flaws in this. Those flaws can throw a whole election out if there are three or four legitimate complaints. I know, having been through a municipal recount, that going to the courts, you just have to show one or two small errors and you can get a full recount, which is a very costly process. So I would be very interested to see how this works.

Those are my two concerns. Clearly the more important concern is that if the government is going to dictate to municipal candidates exactly how they may raise money, whom they may raise money from, how they report that process by which they raised the money, and it puts them through basically the same hoops it puts provincial candidates through, then it should be allowing them the same tax break, the same tax credit that provincial members take advantage of themselves. I think that is a very big complaint from municipal candidates, and I know because that was the complaint when I was running.

2100

Mr Jackson: I have a couple of areas of concern that I wanted to address which flow partially from my experience in municipal politics, with five or six elections, and my three or four elections here in the Legislature.

I first of all want to comment to the member for Oxford, who referenced his concern for students and access to voting and improvements to enumeration. I also want to indicate that I was hoping he would have addressed the larger issue, and that is the timing of provincial elections which militate against the appropriate access for students. That may have been a simple oversight, because I know he has expressed concern.

It strikes me that it was a rather strategic move on the part of the previous government to disfranchise thousands of university students by virtue of the timing of the last two provincial elections. We certainly do not wish to disfranchise those students in any way, shape or form, but if the bill hopes to deal with the issue of access, had this bill gone to committee we might have gotten closer to some arrangement which indicated that only under certain very rare circumstances could an election be called within a very narrow range of time frames which specifically adversely impact students.

I want to comment on another area and that is in the explanatory notes the minister did not deal at length with, the issue of the maximum number of electors and polling being increased from 350 to 1,000 electors. Again, I am trying to draw a parallel here between what happens provincially, which is of interest to all members in this House, and what happens municipally. We certainly do not want to have a double standard. We use provincial funds to

have provincial elections, but we are creating rules for municipal councils to spend municipal taxpayer dollars to conduct elections.

I was very distressed to learn that in the last election the Liberals had secretly instructed returning officers to reduce the total number of polls in provincial ridings across this province. This was done in a manner in which it could be reasonably argued that it was attempted in a secretive way. When I caught wind of it, we certainly made representations to ensure access for the disabled and for senior citizens.

I recognize that the minister responsible for senior citizens' affairs is in the House this evening and I hope she will be sensitive to this point, because we are setting out in legislation an opportunity for clerks to take polling stations out of seniors' residences, which they have become accustomed to. I need not remind members of the House that we legislate the timing of our municipal elections and it has been known to be rather cold and inclement. Our seniors very much rely on easy access.

I wish the Minister of Municipal Affairs would listen carefully. He indicated that he embraced many of the recommendations from the Liberals. That should be a signal for him to be cautious when he is proceeding with this legislation.

Hon Mr Cooke: It could be worse. I could take yours.

Mr Jackson: I assume then that he is partially listening to the kinds of concerns I am expressing from the residents of my riding, who take very seriously all opportunities to ensure that they have an opportunity to vote. They take their voting very seriously in Burlington.

I guess the biggest surprise in this legislation is that we have, on the one hand, the Minister of Municipal Affairs talking about municipal elections, but he also wears another hat. He wears the hat of Minister of Housing. Occasionally these roles come in conflict with each other, and nowhere have I seen this more strikingly presented than in his presentation of this bill. Imagine the Minister of Housing, responsible for creating housing in this province, the one member of the privy council responsible for helping homeless people, admitting that one year from now and again four years from now, there are going to be enough homeless people in this province that, "By God, if we can't find them a roof over their heads, we're sure going to let them vote."

If this government were serious about assisting the homeless in this province, it would not be preoccupied with giving them a vote when they will not get an opportunity to exercise it. It should be looking at those barriers for the homeless who do not have access to an Ontario drug benefit card because of the need to establish residence, who do not have access to medical benefits because they do not have the ability to establish residence in order to receive some income guarantees for basic existence. They do not have those rights. But this government is going to make sure that if they wander into a polling station, they are going to have the right to vote. I am rather disappointed that the very minister responsible for dealing with homelessness in this province, his first official act

dealing with this important issue is to say, "You will be able to pick which alderman and which school trustee you are going to vote for."

I might be moving a bit off topic if I suggest that this legislation was somewhat of a surprise. It really was not referenced in the throne speech. I did not see a commitment to the homeless in the throne speech.

Interjection.

Mr Jackson: I say to the member for Chatham-Kent, we know that the Agenda for People was never really meant to be implemented. I will give the minister that much of a margin. We also know that it really was not addressed in the throne speech. These have been established. But what we do measure a government by is by its legislation. That is before us. That will become the law, not the Agenda for People.

I simply wanted to—

Interjection.

Mr Jackson: I am pleased that the member for Chatham-Kent wishes to go to the Agenda for People since he wishes me to respond to it, because the Agenda for People had a lot to say about a lot of things, but nowhere are we getting a commitment for the construction of those rental units to eradicate many of the problems of homelessness in this province.

The minister seems to think that when he talks later this evening on Bill 4, he will be doing something meaningful for the poor people of this province. By his own admission, about 45% of the tenants in apartment buildings in this province are paying greater than 30% of their income. By his own definition, they cannot afford the housing they are in. So why does a limit of a 5% increase in any way address the issue of people who are being evicted economically from their residences? We know the poor have the highest mobility rates in apartments because of the increases and the current levels of rents, especially in the large urban centres like Toronto, Ottawa, Hamilton and Windsor.

In conclusion, I want to just reaffirm my concerns that this legislation should be a guide for this government when dealing with future provincial elections so that it does not offend the rights of students; that explanatory note 13, which talks about allowing municipalities to increase the size of polling subdivisions, does not disfranchise thousands of senior citizens who have grown accustomed to having their polling locations in very close proximity to their residences, and finally that the minister responsible for homelessness start building some housing instead of making sure that at least they have the opportunity to vote in a province that cannot help them find housing.

2110

Hon Mr Cooke: I will just take a couple of moments. First of all, I want to thank the honourable members for participating—this is really difficult—and I want to recognize that there were a couple of comments that I certainly agree with.

I agree with the critic of the Liberal Party that the participation rate is too low in municipal elections and that is obviously one of the focuses of this bill, to try not to

come up with the reasons why people should not be on voters lists but to try to come up with ways and mechanisms to get more people to participate, whether they are students or whether they are homeless people.

I certainly understand the concern that a couple of members have mentioned about the number of voters in each of the polling stations. I should point out that we are not really comparing the same types of elections, provincial and municipal. There are many municipalities that are now using voting machines, and that is the purpose of this amendment. It is very costly for municipalities, and voting machines can process large numbers of voters.

The amendment that we are proposing says to a local municipality that it can decide how many voters are in each of its polling stations. I certainly agree with the philosophy that the member for Burlington South has indicated on many occasions, that local municipalities should have the ability to make the decisions at the local level instead of having them imposed at the provincial. However, if the Conservative Party brings forward an amendment, we would certainly be glad to consider it. As I understand, they will be bringing forward an amendment.

I just want to say one thing about the whole issue of whether homeless people should be able to participate. I would like to indicate to the member from Etobicoke that the rules we are suggesting in this legislation are no different than the rules that currently exist on election day for him or me. Anybody, whether a homeless person or anyone else in the community, can walk into a polling station on election day. They can indicate what their address is and they can vote. The rules are exactly the same.

As Minister of Municipal Affairs, I certainly have no intention of saying that just because an individual is homeless he will have a different motivation for participating in a municipal election than anyone else. There certainly are rules in place, laws in place that allow people to vote, and I think homeless people should be allowed to participate.

If there is one disappointment in this very short debate that we had this evening, both as Minister of Housing and as Minister of Municipal Affairs, I cannot let one incident during the debate this evening go by without a mention. When the member for Simcoe East was talking about the homeless issue, the kinds of references and the laughter that took place within the Conservative caucus I think demonstrate a lack of understanding of this particular issue. I do not think it was appropriate.

Mr Carr: You don't even know what we were laughing about. Cheap shot.

Hon Mr Cooke: I know exactly what you were laughing at. I think what we have to do—

Interjections.

Mr Jackson: On a point of order, Mr Speaker: I would like to bring to your attention that the Minister of Municipal Affairs has imputed motive to a sidebar comment that he neither heard nor understood. If he is going to impute motive, I can indicate that during many of the discussions about the poor in the debate he had the audacity to turn away and talk to other members. We do not impute

motive in this House in an offensive manner the way the minister has just done. I ask him to withdraw.

Hon Mr Cooke: I would be glad to withdraw.

The Acting Speaker (Mr Villeneuve): It is against the rules to impute motives and the honourable Minister of Municipal Affairs has withdrawn.

Hon Mr Cooke: When we get to that section of the act, I will attempt to answer questions with regard to how the process will operate. As I indicated earlier, the rules in terms of people being able to walk into polling stations on election day will be no different for homeless people than for any other people in our community.

I hope there will be some efforts by municipalities, like that of Toronto, to involve more homeless people when we enumerate. Perhaps there will even be voting stations in some of the community centres in Toronto and other larger communities that homeless people take advantage of in order to have shelter in communities like Toronto.

I appreciate the participation and the support on second reading and I look forward to going into committee of the whole on Monday, I believe.

2148

The House divided on Mr Cooke's motion for second reading of Bill 16, which was agreed to on the following vote:

Ayes—90

Abel, Akande, Allen, Arnott, Bisson, Boyd, Bradley, Brown, Callahan, Carr, Charlton, Christopherson, Churley, Cooke, Cooper, Coppen, Cunningham, Dadamo, Drainville, Duignan, Elston, Fawcett, Ferguson, Fletcher, Frankford, Gigantes, Grandmaitre, Haeck, Hampton, Hansen, Harnick, Harrington, Haslam, Hayes, Hope, Huget, Jackson, Jamison, Johnson, Jordan, Klopp, Kormos, Lankin, Lessard;

Mackenzie, MacKinnon, Mahoney, Malkowski, Mamoliti, Marchese, Marland, Martel, Martin, Mathysen, McClelland, McGuinty, Miclash, Mills, Morin, Morrow, Murdoch, B., Murdoch, S., North, O'Connor, O'Neill, Y., Owens, Perruzza, Poole, Ramsay, Silipo, Sola, Sterling, Stockwell, Sullivan, Sutherland, Swarbrick, Tilson, Turnbull, Ward, M., Wark-Martyn, Waters, Wessinger, Wildman, Wilson, F., Wilson, G., Wilson, J., Winninger, Wiseman, Wood, Ziemba.

Nays—0

Bill ordered for committee of the whole House.

2150

RESIDENTIAL RENT REGULATION AMENDMENT ACT, 1990

Resuming the adjourned debate on the motion for second reading of Bill 4, An Act to amend the Residential Rent Regulation Act, 1986.

The Acting Speaker (Mr Villeneuve): The honourable member for Dufferin-Peel had the floor upon adjournment.

Mr Tilson: I rise on second reading debate of Bill 4, An Act to amend the Residential Rent Regulation Act,

1986. As members will gather from the numerous questions that I and other members of our party here have asked in this House, this party has grave concerns over the proposed legislation.

To be blunt, it is unfair, it is punitive and it is contrary to this government's stated desire to be fair and just. Moreover, it reveals that despite the cooing noises made by the Premier and Treasurer towards the business sector of this province, the NDP government is still driven by doctrinaire dogma when it comes to housing policy. Worse than even that, Bill 4 lacks consistency because it contains certain retroactive provisions and is, I submit, plainly bad law.

I can appreciate this government's desire to reform the current system of rent review. I honestly believe that they are trying to reform the existing system. It was implemented by the former Liberal government, which implementation makes absolutely nobody happy. Tenants and landlords equally hate it. It is a bureaucratic nightmare costing taxpayers \$40 million to administer. But why, when we have learned how not to protect tenants and treat owners, are we once again setting out to be unfair, inequitable and unjust?

Let's start by looking at the minister's own words in announcing this government's intention to introduce Bill 4. Allow me to quote his statement from the House, which was made on 28 November last. At that time the Minister of Housing stated:

"Under the moratorium, tenants will no longer be required to pay rent increases to finance luxury renovations or the flipping of apartment buildings. As well, tenants will not face rent increases arising from capital expenditures."

That statement was made by the minister, as I said, on 28 November last.

Consider the emphasis the minister places on flips and luxury renovations. It is as if all landlords ever do is flip buildings and install marble lobbies. The minister knows that is simply not true. However, in the New Democratic Party's simplistic world of villains and good guys, tenants are the oppressed while landlords are the oppressors.

The notion that roofs leak and need repair, the possibility that boilers break down and require replacement, and that occasionally, just occasionally, there are badly needed renovations which actually benefit tenants simply does not conform with the NDP's set view of housing issues. In the NDP's narrow little dogmatic world, tenants are always the miserable exploités while landlords are the compulsively greedy exploiters.

Let's take a closer look at what this bad legislation actually does. For one thing it cancels all phased-in rent increases taking effect on 1 October 1990 or later, simply cancels them. But at the same time as it fails to recognize the validity of properly awarded phased-in rent increases after 1 October, it allows tenants to pay amounts owing landlords under still valid older orders in 12 monthly instalments. Fair enough, and I applaud the government in permitting tenants this particular break. I do applaud them. But on what possible basis does this minister simply cancel phased-in increases after 1 October? What basis does he have to do that? On the one hand he is being fair to

tenants, but on the other hand he is being unfair to apartment owners. Where is the fairness? Where is the equity?

As one looks at this legislation, it is abundantly clear that retroactivity means one thing when it is applied to tenants, while it means quite another when it impacts apartment owners.

There is another aspect to this proposed legislation that is to be deplored. At first glance, it would appear that the NDP's new age of rent control begins 1 October, the day the government took office. How symbolic; how appropriate. They nearly pulled off the illusion of logic by invoking the 1 October date, but not quite.

While it is true that the old rules will apply to applications with the first effective date on or before 1 October, the minister knows full well, and the people of the province deserve to know, that a landlord must apply three months before the first effective date. In short, the application must have been in the system on or before 1 July 1990 to avoid being zapped by this bill. So the operative date is not 1 October, but actually three months earlier. Where is the fairness? Where is the equity?

Permit me for a moment to deal with another issue, whether apartment owners should pay for renovations through their rents. This is what the minister has proposed. Judging from the responses this minister has made to a series of questions in this House from this side of the House, he will no doubt want to ask me where it is fair and equitable that tenants should pay for the lack of proper maintenance on the part of their landlord. I know that he took particular delight in asking me the other day whether I thought the tenants should pay for plaster.

It was a nice try, but once again he missed the point. The point is that 80% of Ontario's rental housing stock was constructed prior to 1975; it is not aging well and his own ministry projects that \$10 billion in renovations and repairs are needed to maintain and restore the current stock. Given that it is infinitely less expensive to work with what we have as opposed to building from scratch, I believe that even this minister would have to concede that money for repairs and maintenance is well spent. But it must come from somewhere and unless he is simply dead set against private ownership of rental housing stock, a positive climate for private investment in the housing market must be encouraged and allowed to exist.

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That is not to say that tenants should be stuck for paying for marble lobbies, and he should know better than to cite abuses which clearly are deplored by all sides of the House, and we do. That is not to say that we condone a marketplace or a situation which encourages and rewards so-called flips. We do not condone these and he knows it.

If the minister would abandon his ideology for a moment, he would realize that there is a middle ground which is both fair and equitable to landlords and tenants. I fear, however, that if in a moment of lucid thought this minister actually recognized that compromise could work, his rather narrow view of the world would be shattered.

Allow me to refer the minister and this House to a letter sent to him by the Bretton Place Tenants Association. This letter was addressed to him and is dated 8 November

1990. This is from a tenants' association that has developed a close working relationship with the various property managers of its complex over the years. I am sure he is aware of them. Indeed, I understand that they might have turned their own building into a condominium several years ago had legislation not been introduced to bring an end to such conversions.

In any event, I know the idea of tenants getting along with their landlord probably does not sit well with the minister and is in fact a threat to his view of the world, but it does happen. It is not just all class struggle.

In their letter to him they point out that they have worked with the owner-managers to come up with a reasonable list of items in need of repair.

I would like to quote from that letter: "Our resident group recognizes that buildings that are 25 years old need work that will maintain their physical integrity." The letter goes on to state: "As you can see, we have an excellent working relationship and do not have an adversarial situation that perhaps the Federation of Metro Tenants implies is the case within the province. The Federation of Metro Tenants does not represent this complex nor does it represent many of the apartment complexes in the province."

As galling as that may seem to him and members of his government, that is what one group of tenants had to say recently.

Allow me to touch on some other aspects of this bill that cause our party some concern.

The minister will recall that I asked him what studies have been done in support of this legislation. Specifically, I wanted to know whether this government had undertaken a cost-benefit analysis or knew the extent to which this bill would trigger economic hardship. I got the very distinct impression from his answers in the House that this government had done its homework.

When I returned to my office that afternoon, I immediately wrote to the minister restating my desire to see what documentation lay behind this bill and I still have not received it. I asked it again in a question several days ago. I asked again: Where is this impact study? Where is this legal opinion?

My staff followed up that letter several days later with a phone call to the minister's office and, as I have indicated, to date we have seen nothing. I assume it does not exist unless it is another secret report.

How can one expect this government to have an honest economic assessment of the impact of its rental policy? I do not think one could be produced. I do not think he has even studied this matter.

Let's look at some of the fallout that is occurring, and some of these have been referred to in questions in the past. I refer specifically to a newspaper article in the *Toronto Star* of 1 December 1990, which indicates a number of situations. Mercury Electrical Products of Concord could lose \$1.5 million or one quarter of its sales. Layoffs would follow. Regal Aluminum Ltd, and Regal Railings Inc, also of Concord, has laid off over half of its 200 employees after cancellation of \$5 million worth of orders for windows, doors and railings. Wind-o-Mart Ltd, same story; loss of \$2 million in orders, maybe more.

There are stories of layoffs of plumbers and electricians. My phone has not stopped ringing and I am sure the phone of the minister has not stopped ringing. My fax has nearly suffered a meltdown, as I am sure his has, with all the letters we have received. I have a few of them here. I do not have all of them, but I have a few of them. I would like to review several of them.

I would like to refer to a letter from Structural Contracting Ltd dated 6 December 1990. This is addressed to the Minister of Housing:

"As a contractor who specializes in the restoration of apartment buildings, your announcement November 30, 1990, restricting rent increases came as a complete shock to me and many others in this business.

"Our work primarily involves the restoration of parking garages that have deteriorated due to de-icing salts which are spread on our roads throughout the winter months by the Ministry of Transportation.

"In our company alone, this industry has created employment for approximately 50 men throughout the year, with wages that vary from \$13 to \$16 per hour. These were not McJobs. These were well-paying construction jobs that provided opportunity and prosperity for many unskilled workers who would otherwise be unemployed, or stuck in positions at or slightly above the minimum wage. Your proposed legislation will force us to reduce our workforce to 10 from 50.

"The service we provide for landlords is not a luxury or a frill. Deteriorating parking structures and balconies is well documented and understood by most experts to be a monumental problem that also affects condominiums, hotels, airports, hospitals etc. If these problems go unchecked it will lead to further deterioration leading to garage closures for fear of collapse or possible harm to tenants. Unlike repairs or replacement of drywall, wallpaper, kitchens, windows or appliances that can be held off indefinitely, deterioration of concrete in a parking garage or a balcony must be repaired immediately. Delaying repairs not only increases the chances of failure, but also increases the final cost due to the nature in which concrete deterioration in parking structures spreads.

"There is well-documented evidence to prove that this problem relating to parking structures was not brought to the forefront until the late 1970s and early 1980s. Since most of the apartment buildings we have worked on are 15 years and older, it is unfair to penalize landlords for a problem they did not create. Landlords could not have planned for this problem, and as such should be compensated for work required to upgrade the parking garages and balconies to a safe and secure manner.

"Failure on your part to arrive at a suitable compromise with the landlords will result in a deteriorating housing stock and massive layoffs at a time when the economy can least afford it."

That was signed by Structural Contracting Ltd.

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Here is another letter. This is from Mark Henderson of 479 Burlington Avenue in Burlington and is dated 8 December. I am only going to refer to part of this letter,

just to express its general tone and concern. It is addressed to the Minister of Housing:

"The moratorium on rent increases which you announced a week ago is a clear indication that the rent control problem is presently beyond your ability to solve, just as it was beyond the Liberals' ability to solve...."

"When I became a landlord in 1987 I did not volunteer to become a one-man social assistance agency. However, that is exactly what the present system is doing. The government wants rents to be cheap, so in my fourplex I am subsidizing the rents regardless of their income by \$1,600 per month. Is this fair? Where is the justice in this? Why am I being bankrupted by a government which refuses to acknowledge that it is responsible for subsidizing housing in Ontario, not me?"

"You clearly need help formulating a rental policy. When you entered your ministry I read reports that you said you were going to listen to tenants and landlords and come up with a policy which was fair to both. Did you really listen to landlords? You cannot be 'just' to tenants by being 'unjust' to landlords...."

That is a letter which goes on for several pages, and I will only read those few excerpts.

Here is another letter. It is from Edrich-Terlin Management, which is a constituent of Mississauga South, from 70 Park Street East, Mississauga. It is signed by Stanley J. Fay, the president of this company, and this is addressed to me:

"Dear Mr Tilson:

"Please help us to stop the new NDP government rent control legislation from passing. It will eliminate 150 badly needed jobs in this company alone plus many, many others like ourselves.

"It is wrong at any time, but especially now when jobs are so badly needed."

Another letter is from Andrade Associates Ltd, 40 Sheppard Avenue West, North York. It is signed by Mark Henderson of that corporation, and it is dated 7 December last and addressed to me. I will only read one line: "It is clear that the government's proposal is both draconian and retroactive and could bankrupt many small property owners."

That is the general tone throughout the province. That is the type of response we have been getting, and I am sure the minister has been getting the same type of letter and the same type of telephone call. I am not even going to repeat the telephone calls, there have been so many.

Here is another letter. This is addressed to the leader of our party, the member for Nipissing. It is from Triple "R" Roofing Ltd, 8 Walnut Crescent, Toronto. It is signed by Gerry Turner, the president of that corporation:

"Dear Mr Harris:

"I have been in the industrial and commercial roofing business for a period of four years. The majority of our work has been performed for property management companies on behalf of their clients.

"Triple 'R' Roofing Ltd has employed, on average, 10 people per year, with annual sales of \$1,200,000.

"Our business averages a 6% net profit before taxes, so I am sure you understand that all we have really been able

to do is provide employment for 10 people and a salary for myself and family."

He goes on:

"When your government lost the election to the NDP we also lost approximately \$250,000 worth of business and have continued to lose another \$250,000 of business.

"On 30 November 1990, for the first time since I have been in business, I had to lay off all my employees. This is all due to the fact that David Cooke's housing policies have caused my clients to stop spending money on their roofing projects.... I now have 10 unemployed employees who have rent control but no paycheque to pay the rent, and will now have to claim UIC benefits."

That is another example of what this bill is causing.

I would like to refer to another letter, which is addressed to the Minister of Housing. This is dated 4 December 1990 and is signed by Donald J. Bannister. I will not read the whole letter, just pertinent sections of it:

"As an owner of a small six-suite residential building in Toronto, I am outraged at your blatant lack of concern for my position, as well as your shortsighted, ill-conceived and fundamentally stupid approach at solving the housing problem.

"This year I spent \$13,000 improving my 75-year-old property by replacing the original windows and oil boiler which had reached the end of their life, and understanding that I could recover my costs by making an application and receiving a legitimate increase in rents. Instead now I have voluntarily filed my rents with the rent registry and my rent review application to recover my costs is now invalid."

He continues by saying: "Your policy is irrational, unfair, discriminatory and in the long run will harm the people you are trying to help."

Here is another letter. This letter was referred to me by the Leader of the Opposition; in it is an offer to sell to Her Majesty the Queen in right of Ontario: "Province of Ontario, you can have my building. You can purchase my building, and at a bargain-rate basement price of \$4.7 million." This is from the Siksay Group Ltd. It is addressed to the Minister of Housing and it is dated 29 November 1990. Again, I will only read portions of this letter.

"Re: Rent control in Ontario:

"The Siksay Group Ltd is the owner of a 47-unit apartment buildings in Oshawa...."

"We view your present policy initiative as so regressive and shortsighted that we have decided to offer our building for sale to the government of Ontario. If you want to be in control of the rental housing sector in Ontario, here's your real chance to get your feet wet. This offer is contingent, however, on the Minister of Housing becoming responsible for the day-to-day operations of the building in question over a 10-year period so that he or she may experience first hand the challenge of adequately maintaining an older and decaying residential building complex within the confines of the rent control system in Ontario.

"It is also contingent upon the minister operating the building on a profit basis (as public sector landlords do), showing a return on the government's investment at least equal to the return the government would receive on iden-

tical funds deposited in the most lucrative interest-bearing account, term deposit or guaranteed investment certificate, and making the financial statements in respect of the operation of the building available to the public forthwith after the conclusion of each fiscal year. If the rent control system which you propose for Ontario really can work, here's your chance to show us all."

The time has come. That offer was irrevocable until 10 December and it appears that the minister did not take up the Siksay Group's offer, although it has not been revoked. The offer has not been revoked and it may well be that if the government is lucky it may be able to get this bargain building.

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Here is another letter. This is from Day Restorations Inc, 2 Brentcliffe Road, Toronto. It is signed by James F. Day, who presumably is the president of the corporation. Again, I will only read portions of the letter. It is addressed to me.

"Dear Mr Tilson:

"I operate a contracting company that performs structural repairs and maintenance to the exterior walls of buildings. I have been in business since 1974.

"On Wednesday 28 November, I had 35 employees. On Thursday 29 November, I was forced to lay off one half of my staff....

"Typically, over the last three years, approximately half of my business has come from the apartment building market....

"Over the last year I have invested heavily in new equipment. With a reduced income, I will have difficulty meeting the debt on this equipment....

"The effect of this legislation is devastating, throwing thousands of people out of a job. It takes away incentive from tenants to move up and invest in a house."

I think that is a crucial issue and I hope the minister will reconsider his bill.

I have a further letter that is addressed to me. It is dated 6 December 1990. It is from Parkway Realty Ltd.

Interjection.

Mr Tilson: I think that is the problem. I think the member considers it a laughing matter, which is unfortunate. This is probably one of the most serious pieces of legislation this government has introduced, and these letters show the terrible, devastating effect it is having on the economy of this province. It is causing unemployment. It is causing a lack of initiative. It is causing bankruptcies.

"Dear Mr Tilson:

"I am a landlord who was caught by the NDP rent control amendment in the middle of renovating two 25-year-old apartment buildings.... I have already invested \$650,000 in necessary repairs, such as new elevators, new roofs, new outdoor lighting, an \$80,000 card-entry security system to protect tenants from robberies, newly repaved parking lots and more. We have done no unnecessary repairs.

"We did this work in good faith under existing laws of Ontario. We trusted the legislative process. We followed

these laws, invested our family funds and now the laws have been torn up retroactively. Can this really happen?

"The NDP has discredited the legislative process in Ontario and has brought disrepute to the legal process.

"For 15 years, we have been called all manner of names by all parties. We have been portrayed as rich, greedy, gouging, whatever names suited the provincial politician at a political rally. But no matter what is said about us, we are still citizens of Ontario. We are still investors in Ontario. We are entitled to protection under the law.

"If the NDP is permitted to make a retroactive cancellation of existing legislation, then no investor, local or foreign, will trust Ontario laws. A law which can be changed retroactively is no law. It is the law of the jungle. Who would ever want to take a chance with their life-savings to invest in Ontario again?...

"If we landlords are doomed, then so are all Ontarians. For the sake of law and order, for the sake of all Ontarians, help restore faith to the legislative process. Oppose this retroactive legislation."

That is signed by the president of Parkway Realty Ltd.

A letter dated 6 September, addressed to me, is from Columbia Windows Ltd, 131 Carlauren Road, Woodbridge.

"We wonder whether the NDP government realizes what they have done with their recent decision.

"Do they know that they have put thousands of Ontarians out of jobs with their decision, many of these people tenants?

"Do they know that several companies are facing going bankrupt as the result of their decision?

"What should the people do who are being put out of a job? Collect unemployment, apply for welfare or go out on the streets and commit crimes to feed their families?...

"Maybe the NDP government wants all Ontarians to be on welfare."

The minister got these letters. I do not imagine he probably even responded to them. I will be interested to see if he did.

This letter dated 9 December is from Peter Miller and addressed to me.

"I am writing to express my concerns about the proposed NDP rent freeze legislation and the negative effect it will have on the residential rental industry....

"It is a sad state of affairs when the government tries to change the rules for things done four months previously....

"In my view, a rent freeze means a renovation freeze....

"In my case, my wife and I purchased a 12-unit building at 200 Louisa Street in Kitchener, which is 25 years old....

"The building and appliances are wearing out and replacing a few items interested the tenants in new appliances, carpets and flooring and a vacant apartment was given the complete treatment in September 1990. The cost for one apartment was just over \$2,500. With the proposed legislation, the remaining 11 tenants must do without as there will be no money to carry out the work. The tradesmen and the suppliers will also lose the work and sales."

I have another letter from Vicky Micallef, 4 Upland Road, Toronto. It is a letter dated 8 December and it is addressed to me. Again, I will just read the latter portion of this letter.

"The problem is that no landlord blessed with the mental capacity to perform simple arithmetic will invest any capital in his/her property if the maximum return is as low as the ceiling proposed under the legislation. The result for our province will be slums identical to those found in fair cities like New York.

"If the Premier and the Housing minister believe that their legislation is such a good idea and it offers a fair return on investment, let them persuade their union friends to invest their large pools of capital in housing."

That is not such a bad idea.

A letter from a firm called Andrade Associates Ltd. It is dated 7 December. I will just read the last paragraph. It refers to a report which he sent to the firm's clients.

"What was not included in my report is the fact that more than \$60 million of our clients' money stands to be lost because of the retroactive nature of the proposed moratorium. This money represents the value of necessary major repairs which were undertaken prior to the minister's announcement and for which applications were made commencing 1 October or later."

Here is a letter from Cohen Melnitzer, solicitors in London. It is signed by Joseph J. Hoffer of that firm and it refers to the proposed amendments to rent review legislation. Again, I will read excerpts from that letter.

"In its present form, the proposed legislation purports to wipe out, retroactively, legal and equitable rights which have been accrued to property owners acting under existing legislation.

"I can provide you with examples of landlords who reviewed the current rent control system and held meetings with their tenants to discuss proposed necessary capital expenditures. The landlord further gave disclosure to the tenants of the approximate amount of cost together with the amount of the rent increase anticipated in the future; all of these steps were taken in strict compliance with, and reliance on, existing legislation. These landlords then spend tens of thousands of dollars to make the improvements they said they would make (none of which were so-called 'luxury' expenditures) and filed application under existing rent control legislation....

"Mr Cooke and Mr Rae now purport to retroactively eliminate these landlords' vested rights to rent increases by imposing a rent freeze on these landlords.

"Some landlords will be bankrupt if this legislation is passed. Others will lose their buildings to lending institutions that have no interest in owning rental property.

"On behalf of the tenants and property owners, kindly urge the Rae government not to impose retroactive legislation on property owners, and I so urge you."

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I have another letter dated 7 December, which is addressed to myself from the Philmor Group. They are from Willowdale, 47 Sheppard Avenue East. I will just read a few lines, signed by Eddie Gilbert.

An hon member: A good place to come from, Willowdale.

Mr Tilson: Yes, at the moment it is.

"We had an outside building consultant advise us as to what was necessary to effect the repairs properly and we ended up spending \$270,000 to fix these items. Under the proposed legislation, we are being told that these repairs cannot be passed on to the tenants.... The windows in this building are wood frame, single glazed and totally ineffective. We had plans to replace them in 1991 for approximately \$280,000, but will not do the work if we cannot increase rents to cover our additional costs.... Thousands of jobs will be lost in the construction and renovation industry, as well as those who supply the industry."

I have a letter from Guelph—these letters are from all over the province—from a Morris Haley. It is dated 7 December and it is a very brief paragraph:

"This retroactive legislation has destroyed my trust of fair play with this government. How can I make future decisions based on the existing law with the knowledge it may later be adversely changed? A bad precedent would be set."

I think that is the problem that the members are going to have to realize, that by implementing this law they are going to lose the trust of the people of Ontario. They may have lost that trust already, but clearly it is not too late.

A letter dated 7 December 1990 from MCI Properties Inc of London. Ray McNally is the president, he signed the letter. He says:

"I am the owner of a 115-unit 25-year-old apartment building in London. Twenty-five per cent of my tenants have asked that their fridges and stoves be replaced. They have put their requests to me in writing and they are prepared to pay a small rent increase according to the Residential Rent Regulation Act, 1986.

"My problem, of course, is that the proposed NDP rent control legislation will not allow our collective efforts to materialize. With a 15% increase in operating costs for 1991 (gas, electricity, municipal taxes, supplies etc), the goods and services tax and only a 5.4% increase, I'll be very lucky to keep a dry, warm roof over my tenants' heads.

"I hope this idiotic housing philosophy deteriorates faster than Ontario's rental stock.

"Good luck in your fight."

I have a letter from a chartered accountant, Earl I. Grossman, who is from Toronto, 15 Stormont Avenue. This is a letter addressed to the Premier. I will read two paragraphs.

"This writer was quite shocked to read the recent pronouncement freezing rent increases to bare operating costs. We were about to approve contracts totalling approximately \$300,000 to remedy outstanding work orders, replace carpets, repaint inside and out.... We have not applied to rent review, but certainly intended to. We estimate that such an application would result in a 10% increase....

"You have publicly rebuked landlords who incur costs in order to effect rent increases of 30% to 60%." This party does that as well, I might add. "We agree that there may be

instances of abuse, but the paintbrush approach you have taken prejudices the huge majority of landlords who do not abuse the system and who have an earnest desire to maintain rents at an affordable level."

That is what Mr Grossman stated.

Those are the letters that I refer to, and we have dozens and dozens of similar letters that are still coming in which I will not refer to, but many members may have seen those letters or heard of them. I suspect that all members of the House, and I hope members of the government, will refer to letters that have been written to them by members of their ridings which will be similar.

I would like to refer to a newspaper article on 10 December by Thomas Walkom. He simply told it from the tenants' point of view—anonymous tenants, to protect them—about two people who owned a house and had a basement apartment which they proposed to renovate. They paid a lot for this house. I am going to quote a little bit from the article:

"They bought at the top of the market. But at least, they say, they have one. Not everyone does.

"They both work; they don't have kids. So they make a living. 'A good buck,' as Bill would say. Bill belongs to a union; he gets time-and-a-half when he works overtime.

"But the house takes everything—as houses will. Bill and Marge are, in effect, mortgage slaves. They don't complain. But that's what they are."

Then it goes on to talk about how they intended to and did renovate their basement apartment.

"So on November 28, Cooke introduced stringent new legislation. Landlords will be held to the rent increase guidelines. In addition, they may apply to have certain limited items, such as electricity rate increases, passed through to tenants.

"But, as the plan stands now, landlords will not be able to pass on maintenance and capital costs. This is to last for two years, to allow the government time to develop a better rent control system.

"The new rules are to be retroactive to October 1.

"Cooke explained that landlords should already have been putting aside a portion of their rents to pay for future repairs."

Can you imagine?

"Bill and Marge, however, didn't do that. They set about renovating their basement before the NDP was elected, under the assumption they could pay for it later.

"Now, they don't know what to do.

"The recession has already driven down rents. Bill figures that a basement apartment in his area might now rent for only \$450 a month.

"But now, if they rent at \$450, that figure becomes the base. They will be able to charge the annual guideline increase. But in 1991, that 5.4 per cent figure won't even cover inflation (which, the Ontario government predicts, will be 6.1%)."

That is an interesting item which the Minister of Housing has not referred to; that is, the percentage increases. They are not even going to keep up with inflation.

Mr Walkom goes on with his article:

"They will certainly not be able to recover the costs of renovating the apartment.

"So they may turn their basement apartment into a recreation room. That way at least, Bill can move the television there and watch sports all day Saturday.

"And the renovation costs? Well, Bill will have to work more overtime.

"In the end, Bill and Marge may be happier. They won't have the hassle of tenants. And Bill—although he will have to work longer hours—will be able to watch sports.

"But in Toronto, which claims to suffer from a housing shortage, there will be one less apartment. Is this what Cooke's rent control legislation is intended to accomplish?"

2240

Whether he wants to admit it or not, this minister and his government are hurting the very people they pretend to help. We on this side of the House have brought them example after example and all they can say is that it is unfair to tenants that they must fund renovations or that they are somehow encouraging landlords to stop planned renovations. I notice the Minister of Housing does not even bother to hear us.

However, that later argument demonstrates the length to which this minister is prepared to go to avoid answering fundamental questions. We are not encouraging apartment owners to allow their buildings to deteriorate; this government is by its wrongheaded policies. But this is not the first occasion that the minister has engaged in verbal evasion. When I suggested several days ago that some \$500 million in renovations would be postponed or cancelled as the result of this government's policy, the Minister of Housing told the House he did not know where I was getting my figures. Let me tell the members—because the Minister of Housing has disappeared—that the figure is based on an extrapolated estimate by the Fair Rental Policy Organization of Ontario, based on a survey of its members. The minister probably knew this, but he proceeded to tell me that the largest single capital passed through in one year under the current rent review system was \$122 million. Since that time I have wanted to ask the minister but two simple questions.

First, does that figure not simply represent what has been processed by the system and not what may be held up in the system awaiting approval? The Fair Rental Policy Organization estimates that its figure of \$500 million translates approximately to 16,000 lost jobs. What, I would ask the minister and members of the government, is his estimate of the direct and indirect job loss stemming from his policy? My guess is that the minister has not even thought of this, and he does not care.

Second, and more important, is the question which flows from the minister's admission of at least \$122 million of capital expenditures. How much of that \$122 million does the minister think was spent on luxury improvements versus essential capital renovations and repairs? I hope the minister and the Ministry of Housing will provide us with that information. Do they have that breakdown? Does it support their continuing inference that

the only work going on out there is unnecessary, unwanted luxury upgrades?

I am dwelling on this issue of luxury upgrades at considerable risk. I know that this ever-resourceful minister—and certainly he is experienced, I will not doubt this—can counter with example after example of gratuitous upgrades, the old marble lobby stories. We hear them every time we ask a question. Are we, however, dealing with just so much hysterical, rhetorical rubbish when the government trots out its luxury horror stories?

The minister will recall that his predecessor, John Sweeney, introduced regulations last April which, among other things, required landlords to notify tenants in detail of planned renovations. In cases involving replacement of items within specific units, such as appliances, cupboards, tiles and fixtures, the landlord now had to obtain written agreement from the tenant. Furthermore, rent increases resulting from such work were made specific to those units where the work was done. But I think it is important to establish here and now whether this government is merely putting an end to renovations that nobody wants, if indeed that problem has essentially already been taken care of for the most part by the former government, or all renovations. I think it is the latter.

Let me say about the minister's past attempts to suggest that I am somehow encouraging landlords to let their buildings run down, I have done nothing of the sort. I have predicted that it will happen, and that is not to say that I condone it either. It will be a consequence of the minister's actions, and not mine. What this minister and his government fail to understand, or quite possibly understand too well, is that once you leach out all incentive of being a private landlord, then what is the point of investing in your property? What is the point?

Let us turn our attention to what I would term essential renovations. We are now hearing of cases where owners are required by Hydro or the municipality to undertake repairs or upgrades. There is no discretion in the matter; they simply have to do it.

Take the example I raised the other day in the House. Tina Schickedanz owns four buildings, all 20 to 25 years old, and since October 1989 she has completed over \$1 million in repairs which she now has no hope of recovering. She played by the rules but he changed the rules in midstream. The minister will no doubt recall my mentioning this case, because in doing so I mentioned cracked plaster and drywall. That of course gave the minister the opening he needed to avoid the discussion of the principle of retroactivity.

Did the minister ever consider that something as simple as cracked plaster could indicate more serious structural problems, leaking pipes or a damaged roof? What is he saying to the apartment owners of Ontario in this? If they own an old building in need of repair, they will have to fund every repair from normal cash rental flow. If they cannot, then tough, too bad. They are out of luck. Where is the fairness and equity in this? Where is the common sense? Are we to expect an end to all low-rise rehabilitation? Are we to expect a situation where the government funds all of it because landlords cannot?

It is clear to me that this government simply has not considered the consequences of its actions. That is, in part, why I raised the interview with the Premier of this province which he gave to Michael Melling, formerly of the Federation of Metro Tenants' Associations. We are now—this has been referred to by the Leader of the Opposition—all too familiar with the Premier's words, but I want to repeat them again in case they have been forgotten over there. The Premier said at that time to Mr Melling:

"You make it less profitable for people to own it (meaning private rental stock). I would bring in a very rigid, tough system of rent review. Simple. Eliminate the exemptions and the loopholes. There will be a huge squawk from the speculative community and you would say to them, if you are unhappy we will buy you out."

Let's be very clear about one thing: This is not some kind of isolated quotation taken out of context. It represents a theme throughout the entire article, if one were to read the entire article. It clearly is a theme by the Premier of this province.

I am just becoming aware of the reality that everything one says in public life is taken down. They write everything that you say in here, it is quoted and it is sometimes frequently distorted. I can sympathize with my friends over there on the government side. They have all said things in the comfort of knowing their chances of holding power were slight. I expect that is what the now Premier of this province was doing. He never dreamed in a million years that he would become the Premier. They keep saying, "But we never dreamed we would be here."

Well, they are in office now and we have every right to scrutinize the public record to get hints of how they plan to run this province. Goodness knows, their pronouncements now are so careful one would have to be a psychic to determine any clear direction.

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Back then, in what was obviously an unguarded moment, the now Premier was apparently being absolutely candid about where he stood. As members know, I confronted him with his own words and he was a touch miffed. He tried to make out that tenants should be able to take their buildings co-op or non-profit.

I can agree with that, but what I cannot agree to is the suggestion that we artificially create situations which drive down the value of property and make it utterly impossible for the private ownership of apartment stock, and that appears to be the policy of this government.

Hon Mr Laughren: I agree with you.

Mr Tilson: Well, I am sorry to hear that. There must be willing sellers and willing buyers in a market situation which is not intentionally distorted by government policy. There is nothing wrong with private apartment stock turning non-profit or co-op under these circumstances.

There is, however, another question flowing from the Premier's remarks. Put simply, who is the "we" he refers to when he says, "We will buy you out"? Is it the tenants or is it the government? Maybe this is just a question of syntax, but it is nevertheless important. Was the Premier suggesting that the government has the financial

wherewithal to buy up all of the privately held rental accommodation in the province? Was that his suggestion, or was he merely suggesting that the tenants themselves do it? I would suggest that since he previously referred to what he would do as a government, that is to bring in very rigid, tough rental review, I fear that the "we" referred to is in fact the government.

I would like to conclude my remarks this evening with an observation. It is obvious to all those who sit in this chamber and those who watch our deliberations that this government is under intense pressure to deliver on its promises. Never before, it would seem, has a party's platform been under so much scrutiny. Rarely has a party's commitments to the people been taken so literally. This is only proper, especially in times of widespread public cynicism about politicians and their promises. It is to be expected that we are to be held to our word and measured by our deeds.

The problem which confronts this government, and it is one which I can muster some sympathy for, is that promises can be expensive. As we have seen today, we have no money; the cupboard is bare. But what this government can do to demonstrate that it is keeping the faith is to implement those parts of its agenda that do not cost the Treasury any money. The Treasurer does not say "right" at that response.

At first blush, the government's recent rent control initiatives appear to fall nicely into that category. With it, the government plays nicely to its audience and it can claim that, unlike other provinces, it does not cost anything. That is, however, where they are wrong. They are dead wrong. It is a totally false economy to think they can create circumstances where the private rental stock of this province will deteriorate and it will not impact the taxpayers. They will lose revenue from decline in construction activity and job loss. They will end up creating a situation where new housing, probably non-profit and co-op, will be needed to replace what might have been perfectly good existing housing stock. There will be the capital costs involved in this and there will be the ongoing and seemingly limitless associated operating expenses.

Think of the bureaucratic nightmare that will flow from the passage of this bill. Does the minister have any idea, as I asked today in question period, what a burden will be placed on the rental standards boards or the municipal property standards officials? Do they have any idea of the downloading, which they criticized the previous government for, this is going to create? There is indeed a cost to this, and what the government proposes to do will only make the bureaucracy more bloated and expensive to maintain.

Allow me to refer the attention of the House to research bulletin 27 titled "Preserve or Perish," on the issue of conservation, put out by the city of Toronto planning and development department some four years ago; it was December 1986.

Among other things, this report deals with the issue of renovating existing apartment stock versus constructing new, non-profit high-rise buildings. They estimated that the typical cost of conserving existing stock was in the

range between \$4,000 and \$16,000 in 1985 dollars, versus the average cost of constructing a non-profit high-rise rental building of \$53,000 per unit.

I know this report is dated—it is four years old—but does that not show us that the idea of utilizing what we currently have is not new and makes much more sense than simply abandoning it? It would appear obvious that this government favours the high-priced approach to housing rather than a cost-effective one.

Something else will suffer, something much more intangible but none the less important. As I indicated today in my question to the Minister of Housing, what will suffer will be the tenants' quality of life. If their buildings deteriorate, so will their lives. We have seen this experience in every major city in the world. In the end, however, they too will realize that the government had the chance to do something truly creative and learn from its mistakes, but it nevertheless blew it.

It is a myth that this party which I have the honour of representing is anti-tenant. We are not. We would prefer, however, to take a long-range look at the problems facing the rental market and solve them to the best of our abilities for the benefit of all concerned. Our party believes tenants should have a choice and that the supply of housing stock be increased. The NDP government has done nothing to resolve this problem.

Unlike this government, which is prepared to pander for the quick fix of momentary popularity—I realize the minister may or may not have thought I have been tough on him. I have tried to be.

Mr Ramsay: He is not even here.

Mr Tilson: The member is right, he is not even here. Is that not astounding, for his own bill?

I think the minister deserves it, and I hope all members of the House will be tough on him, but permit me to make two further points.

An hon member: There he is.

Mr Tilson: I welcome the minister back.

First, I am glad the government has adopted, as I understand it, my recommendation to send this bill to committee. I understand that is what it is going to do.

Ms Poole: On a point of order, Madam Speaker: I just point out that it is inappropriate for any member of this House to point out the absence of another member. That is in the rules. I thought perhaps the member for Dufferin-Peel, being a new member, might not be aware of that.

Mr Tilson: If that is in the rules, I apologize to the minister.

This series of public hearings will not hold up the benefits of tenants, but it will give all concerned a chance to examine the consequences of this legislation in greater detail. I think that is a good thing. This bill, even if it is an interim step, is far too important to be rushed through this House.

Second, I would say this to the minister: In the name of fairness and equity, remove its unjust retroactive features. They do him and his government very little justice.

2300

Ms Poole: It is always a very painful moment for me when I have to agree with a Conservative. Fortunately, it does not happen very often, because I very seldom agree with anything they do or say. But in this case, the member for Dufferin-Peel has raised a number of very valid points. I would say that at one point he reminded me very much of the Minister of Financial Institutions in his particular profile in this House, except instead of reading telephone message after telephone message, he was reading fax after fax. I can sympathize with him, because my office has also been flooded with those same faxes.

His point about the housing stock not aging well is particularly important, the fact that 80% was built prior to 1975. The minister is quite right to be concerned about cases of deliberate ongoing neglect, but I can tell the members of this House that they can have an excellent landlord who keeps up the day-to-day maintenance in a very admirable way and still have our buildings deteriorate. It is very natural when you have 100 degree Fahrenheit temperature differences in this province that the cement contracts, expands, contracts, expands; the underground parking does corrode from salt damage. These things happen regardless of the amount of maintenance a landlord puts in, and it has to be remedied in this bill.

The member also mentioned Mr Sweeney's regulations. There are a couple of regulations Mr Sweeney brought in that I am not sure the member is aware of. One is that he had a very good solution for the flipping-after-renovations syndrome. We, as a government, did bring in a regulation which said that if the landlord sold his building within five years of getting a rent review decision on renovations, the landlord could not have the double-dipping, that the landlord would be penalized that amount and it would go back to the tenants. That was a very strong regulation.

The second thing is that the minister allowed a multi-year plan. Prior to that the way the system worked is that if a landlord did not put all his renovations in one year, he faced paying a 1% penalty of the gross rents every year. This really encouraged the landlord to do it all at once. What Mr Sweeney said was to allow a multi-year plan without a penalty every year, so that rent increases would be spread out and you would not have some of these outrageous rent increases. I think there is no doubt that we can go even further than that.

What I was most disappointed about in the speech from the member for Dufferin-Peel is that he did not offer any solutions. He did not offer any concrete suggestions to help the government in dealing with the problems that we face with our rental stock. I hope those solutions will be forthcoming in the very near future.

Mr Mammoliti: I am concerned that the member for Dufferin-Peel really does not understand what the tenants have been going through. When he makes statements like "You missed the point" to the minister and when he makes statements like boilers breaking down and money being spent by landlords—I am not sure how he put it, but going to my point, why do boilers break down? Why do walls

and driveways need refacing? Why do refrigerators and stoves have to be replaced? I will tell members the reason. The reason I have been seeing in my riding is neglect by the landlords.

Where was the member for Dufferin-Peel—where were the Liberals, for that matter—when all the tenants were crying about rent review and the problems they were having in rent review? Where were they for the tenants in my riding when they were pleading for the past two years about what is happening to them? They have not been anywhere, because they do not care. I applaud the minister and thank him on behalf of the tenants in Yorkview.

Mr McGuinty: I listened with interest to the speech from the member for Dufferin-Peel and his expressed displeasure with this bill and the antecedent legislation.

I think it is important for him and his party to bear in mind that rent controls were introduced in this province in 1975 by the Conservative Party. That was an unusual intrusion into the forces of the free market, but it was warranted and we are pleased with it. The legislation proved to be ultimately badly flawed. In 1985, to be fair, as a result of the accord between the Liberal government and the NDP, several key amendments were introduced including post-1975 buildings being covered for the first time; annual increases were limited to once a year; key money was banned, key money in all of its various forms; and the legislation was extended to include roomers, boarders and lodgers.

I think of significance was the process used at the time to develop the new amendments. Nine landlords and nine tenants essentially were locked into a room for four months and they produced legislation which was compromise legislation. The member referred to the fact that this legislation was the subject of complaint on behalf of both landlords and tenants. It may very well be, but that is the sign of a good compromise.

The problem here, of course, is that we do not have the same process. There is no effort on the part of this minister to attempt to obtain input from the landlords and tenants. We have in effect an edict being issued, and for that reason we are suffering adverse consequences which will only come back to haunt this government.

Mr Jackson: I was very pleased to hear from our Housing critic the points he raised. I happen to agree with most of them. I think he overstated a couple of points, but I think it is important that the House realize that on the maintenance standards bylaw point—

Mr Christopherson: Come on over.

Mr Jackson: Actually, it is an invitation I will decline, but the members should know that when this rent review legislation was voted on five years ago I stood in my place and voted against it—I am ashamed to admit it—but so did the NDP at the time. However, I disagreed with the legislation for fundamentally different reasons, but we agreed on several points.

At the time, we realized that the section of the bill that dealt with maintenance standards was not going to be proclaimed. In five years, maintenance standards legislation was not proclaimed under the Liberal government

and, as my colleague has indicated, I do not see how the NDP government is going to be able to implement maintenance standards bylaws across this province and ensure that tenants are protected. If he is going to have a two-year moratorium, I further submit that people will not have that protection for two years. If they should, under some circumstance, get the protection, it will be entirely financed by municipal politicians and by municipal taxes.

I think the House would be wise to listen to the warnings as presented by the member for Dufferin-Peel, because if the government of the day is saying that people will be protected because there will be maintenance standards procedures in place, in fact there will not be. Tenants will not be served and neither will landlords, and whole communities are going to have to engage in a major expense. So I encourage all members to listen very carefully to the points raised by the member for Dufferin-Peel. On this point, I agree with him.

2310

Mr Tilson: I thank the member for Burlington South for his kind remarks.

The member for Eglinton says, "What would this party do?" I would say that we would be taking action to provide incentives to increase housing and repair and maintain it. We would not have the punitive retroactivity provision. It certainly does encourage slums. It is probably illegal.

We would not have a policy that increases property bylaw inspections, more unenforceable work orders and more bureaucracy. We would provide legislation that would be fair and would encourage essential apartment renovations. I think that is exactly what we would do. We would provide fair legislation. The Liberal government had the opportunity to introduce that legislation and botched it.

Yes, the Progressive Conservative government did try to help the tenants of this province in the 1970s, and it only did it as a temporary measure. But the Liberals made a mess of it. They perpetuated the problem. They added bureaucracy to it. They added more and more expense. They created more and more difficulties. This bill clearly will create an absolute disaster to all aspects of our economy in this province.

Ms Churley: Day after day, and now night after night, we have sat in this House. We have gone down memory lane—I have to thank one of my colleagues for that phrase—with the members across the way. We have heard their life stories and how disappointed they are that we are so-called backsliding on our commitment to the people's agenda. In fact, they have been begging us, imploring us to implement our people's agenda, night after night lately.

Here we are. We are doing it. What do we get but cries of "foul" and, "Here we go again," and, "Stop, don't do it." But what I have to ask tonight is, who is speaking for the tenants here? I have not heard one person across that room, tonight or the day before, speak up for the tenants. The member from the Liberals attempted to speak, but was speaking out of both sides of her mouth, trying to speak up for the tenants and for the landlords.

I am going to speak for the tenants tonight. I could have brought hundreds of letters and thousands of names on petitions tonight from when I was a city councillor in the city of Toronto. I did not bring those letters. It could have made my speech a lot easier, I guess. I could have stood up and read a lot of letters from those people. They would have broken your heart.

There are tenants out there who are really suffering. I do not think that the member for Dufferin-Peel understands the rent review system such as it is. He does not seem to understand that flips—as he referred to so-called flips—are really flips. I have seen them. I do not think he has seen the results of what happens to the people who live in these buildings and have to suffer the results of those flips.

He talks about the Minister of Housing not playing by the rules. Well, I have to say that some unscrupulous landlords are not playing by the rules. Herein lies the problem. Actually, I could say that landlords are playing by the rules, so they say. That is the problem. We have a rent control system that allows these kind of scams that are going on. That is what they are. This was in the *Globe and Mail* today. I know the minister quoted from it earlier. It is disgraceful. The implications of it are that we have to do something to protect those tenants.

When a landlord says, "From a legal point of view, there's nothing wrong with this [investment deal] because it's all allowed under the law," you have a problem. Then a landlord says: "I agree the current tenants would be forced out. I thought it was the government's job to look after them." Well, it is the government's job to look after them, and that is exactly what we are trying to do here.

As I said, I had been a city councillor for a very short time, and in what is now my riding all of the high-rise buildings in that riding, every single one of them, had gone through flips and were in the process of going through other flips. As a city councillor for that area, I went out and offered my resources to help those tenants organize. I also do not think people have addressed and understood the implication of the time line and the long wait when a landlord decides to go for rent review. Sometimes it is illegal. They apply illegally, but it can take up to one or two years for the results of that to come out.

What happens is the tenant has to do one of two things. The tenant, no matter what his or her income, has to either put aside the 20%, 50%, 70%, 100% or 125%. He or she has to put that money in the bank in case the rent review board rules in favour of the landlord because then that is money is owed. If the tenant does not have that money, then that tenant lives in fear. That is the reality of the system we are now trying to adjust. It is a very serious problem. I have seen it at first hand and I have worked with tenants at first hand.

Let's face it, most of the people who live in apartment buildings cannot have a part of the dream. They are not home owners. They are some of the most vulnerable people of our society and it is our responsibility as a government to find a system that works for them so that they know they are being treated fairly, and that is what

this system is trying to do. This is a moratorium which will give us an opportunity.

The member for Eglinton said she would be willing to look at doing this kind of moratorium for a year. I think that is the kind of suggestion we need to hear. In fact, if the members opposite were willing to co-operate and understand that there are real people living in apartments who are suffering and have been for years under a system that does not work, and understand that we are anxious to get on with it and create a system that does work, and co-operate fully with us to make sure that a system is in place as soon as possible, possibly before two years are up, we would not have the kinds of problems that are being dragged out today.

Mr Sterling: Dragged out?

Ms Churley: Yes, dragged out. There was a very long speech given earlier and dragged out.

I would like add something about the implications of refrigerators and of double-glazed windows. The reality is that they pay for themselves in five years or so. Everybody should be doing it and the money comes back. It is an energy conservation idea that pays for itself and people should be doing it.

To finish, some of the landlords' lobbies are really striking terror in the hearts of tenants. A lot of the tenants in this province have been suffering from anxiety about unfair rent increases for a long time. I find that the members opposite are feeding that terror. I think that is unfair. I also think that the lobby group does not represent the majority of law-abiding landlords. But the type of lobbying that these people are carrying out—these members are contributing to this fear—I think is unscrupulous and unfair.

I believe that if we are to solve this problem, this mish-mash of Tory and Liberal policy that is not working, then we should all work together on this and make sure we operate from the philosophy that people have a right to a decent place to live. It is not a privilege for people with money; it is a right for everybody. We are not getting that in this province. That is what this legislation is all about.

2320

Mr Jackson: I was quite fascinated by the member for Riverdale's suggestion that we should work together. I happen to believe that one of the problems with this debate is that we have a very polarized view from the NDP that it somehow has to be the solitary voice for tenants in this province, and we have heard the accusation that there is a solitary voice for landlords, from the Conservatives, and that somewhere in this equation we have the Liberals.

On this point, I think it is important that we consider a couple of points. Tenants are suffering in this province. Very clearly tenants are suffering in this province. I think it is fundamentally wrong to assume that simply saying that your rent will only go up by 6% is helping a person who is living below the poverty level and paying 40% or 50% and in some cases 60% of his income in rent. The only reason I am angry about the comments of the member is to say that we should work together, because my position on this differs

from everybody in this House. My own caucus does not support my view on this.

We can no longer continue to subsidize the rich who live in apartments in this province. That is what we were warned by Stuart Thom, who spent \$4.5 million of taxpayers' money looking at alternatives. George Thomson in the Social Assistance Review Committee report said rent control does not help the poor; it helps shelter the rich.

The truth of the matter is that if we wanted to be honest today in this debate, we would, as the member suggests, work together and we would implement the SARC recommendations which acknowledge, as every poverty group in this province acknowledges, that the number one impediment on poverty is the cost of shelter.

Their bill will put a cap and a freeze, but people are suffering under the current costs of rent, and that is where the bill breaks down because it does not address the needs of the poor in this province.

Mr Drainville: When we heard the very long remarks that were given to us initially by the member for the Conservative Party, there was some relative respectful silence at the time as we listened to those remarks, and it was quite a long dissertation by the honourable member. Yet in the brief dissertation given by the member on this side of the House, there were catcalls and all sorts of things. I remember the words of Thomas Mann, who said, "We are most likely to get angry and excited in our opposition to some idea when we ourselves are not quite certain of our own position, and are inwardly tempted to take the other side."

What I say today is that all the catcalls and all the comments that have been made when the member was trying to make her point were not really acceptable at that time. They did not give her an opportunity to speak. Basically what the member was saying was that we have taken a position for many years in terms of the tenants of this province. The position is clear. It is antithetical to what they believe. What they stand for is clear. I might say, as somebody who was a tenant for many years, I experienced the difficulty of living in accommodation that was not kept up by landlords, when I did not have an awful lot of money to spend.

I would rather say that our intention is clear in this legislation and in *An Agenda for People*, which has been much vaunted by the opposition, and that policy is that the tenants of Ontario need to be protected. If it takes our government to do that, then we will do it. That is our aim and we will do it.

Ms Poole: I would like to comment on some of the statements made by the member for Riverdale. First of all, she said we were imploring them to implement their agenda. I would like to point out that is not what we were doing at all. What we were doing was criticizing the fact that they made promises they could not possibly keep. There is a very big difference in those two statements.

She also said that nobody on this side of the House had said anything today or yesterday about tenant protection. If she believes that, then I think she either did not hear my speech or did not listen to my speech, because prime in my

mind is tenant protection. We are talking about people's homes. She pointed out that tenants are vulnerable in that very few of them will actually have the opportunity to buy a home. So I think not only the affordability of our housing stock, but the viability of our housing stock is of paramount importance.

She mentioned the long waiting period because of rent review, and she is quite right. For many years there was, but by this spring the backlog was basically cleared up and most rent review decisions were coming through in two to three months. My riding is 60% tenants and I have worked with them on a day-to-day basis, so I know what I am talking about.

The fact of the matter is—I have statistics from the Ministry of Housing here to prove it—that in only 5.7% of the cases that went to rent review was there a rent increase over 20%. So let's deal with those unacceptable cases. Let's deal with those outrageous rent increases. Why throw the baby out with the bath water? Why bring in legislation that is going to affect every tenant, every landlord, every building in this province when we could deal with it on a reasonable basis. I will commit to them, I will offer them my full co-operation in trying to get a reasonable solution to this problem.

Mr Sterling: Yesterday afternoon a woman came to visit me in my office. She is a landlord in the city of Ottawa. She and her husband some 30 years ago bought 68 units on Bay Street in the city of Ottawa. They have not only owned those units, but she and her husband lived in those units for the past 30 years. It was their home as well as their investment. This woman's husband died four or five years ago.

There has been no sale of this building for the past 30 years. At the present time with the financing and the rents she is able to garner from her tenants, partially because of the market in Ottawa as well as rent controls, will not give her enough money whereby she can hire all of the work for the maintenance of her building to be done by other professional people. So this woman, who is 64 or 65 years of age, actually does some of the work herself in the building. She was thinking that at this time she would like to retire after being the landlady and her husband being the landlord of this building for some 30 years. She wanted to retire.

As a result of this minister's implementation of this legislation, her property has now decreased in value, as appraised by real estate people, by some 25% to 35%. We are against this government expropriating people's property without proper compensation. That is what this bill is all about.

2330

Ms Churley: There are a lot of points to answer. As to the point about the housing stock, it has been deteriorating for years and the roofs are not suddenly starting to fall in as of last 1 October. The roofs have been falling in for some time. I go back to the point that we are trying to get on with this legislation so we can find permanent legislation that works.

I also believe that the scrupulous landlords out there have been keeping their buildings up and will continue to do that. That is what I do not like about the kind of lobby that is going on. It is causing unnecessary fear to tenants. I have seen the gold-plated—

Mr Callahan: On a point of order, Mr Speaker: I believed there was one more round, or at least one more speaker.

The Deputy Speaker: No. We started with the member for Burlington South, we went to the member for Victoria-Haliburton and after that it was the member for Eglinton and the member for Carleton, which makes four for eight minutes. There are two minutes for the member for Riverdale, for a total of 10 minutes.

Mr Callahan: I thought the rotation started out of order, Mr Speaker.

Hon Mr Wildman: On a point of order, Mr Speaker: The point of order used up a great deal of my colleague's time, and I wonder if you could put the time back on the clock.

The Deputy Speaker: We will start all over again. The member for Riverdale has the floor for two minutes.

Ms Churley: I have seen the gold-plated renovations in buildings where elevators were broken down and the garages were unsafe, for women in particular, and were leaking. I have seen it in buildings in my riding, and I have worked with the tenants to try to correct it and it did not happen. I have seen those buildings flip and I have seen people have to move out, and that is the ongoing situation. I would just like to make a point about the fact that I do not think that there is anybody in any housing situation—

Mr Callahan: The clock isn't running, Mr Speaker.

Ms Churley: The clock stopped; I can go on endlessly. God must be on my side.

If you look at statistics, and we are really talking a lot about statistics here tonight—

The Deputy Speaker: Order. Take your chair. It was an error from the table. We will give you another two minutes again.

Ms Churley: Do members have any good points they want me to make? Okay, this is a very serious issue for me. I do take it very seriously, because I have been a tenant. I am one of the people—and still am—who has never before been able to buy a house. I have not been one of the lucky ones. It is a very serious issue for me.

Mr Bradley: With your new pay, you will be able to.

Ms Churley: My new pay may change that soon.

Statistics show that there is not a home owner, there is not a developer who develops big buildings, condos etc, who is not somehow subsidized by some government. We are talking about capital gains tax, we are talking about tax breaks given to rich developers to build buildings that are then flipped and rich people live in.

Mr Sterling: Like Jack Layton.

Ms Churley: Yes, and co-ops. Everybody gets some kind of tax break, and I think we need to consider that. I think it is probably a question that we need to open wholly.

Who should be getting subsidies from the government, and should home owners be getting capital gains tax? I think it is a very important point. I think we have a principle of subsidizing the disadvantaged in our society, and that is what this is all about. Again, I just say we are trying to find a fair way for everybody to do that.

Mr McClelland: With regard to the time, I know the member for Grey wants to make some comments and cannot be here tomorrow, so I will try to ensure that he is left with ample time. I just might mention, if I may, Mr Speaker, for those who will respond, that the member would like to do that, so we will bear that in mind.

I noted with some interest the comments from the member for Riverdale, who is leaving at present, but I am sure she will be able to refer to the record. She said that one of the difficulties she felt was that our critic, the member for Eglinton, had spoken on one hand in favour of tenants but had the audacity, if I can use that word by implication, to also make reference to landlords. In light of that, I want to comment on a comment made by the minister last evening.

I had the opportunity to hear the minister. He said in his opening comments he believed very strongly that there has to be a housing strategy in this province. I do not think there is anybody in this House, indeed in this province, who would not agree with that. I would say for the record in response to the member for the Riverdale that this is precisely why our critic speaks in terms of both tenants and landlords, because indeed they are part of the solution as well. The spirit of co-operation that the minister has invited to be brought to bear on solving a very serious issue for many people I think of necessity requires that both groups, if you will, be considered and that whatever wisdom can be gleaned from whatever source be taken into account. In fairness, I think the minister recognizes that and has indicated that.

The minister also said: "I think that one of the aspects of our proposal that has been deliberately neglected for political reasons"—that is appropriate for this forum—"is the fact that we are bringing forward a short-term proposal."

Let me say to the minister this evening, and to members of this House, that I will be voting in favour of this bill, because I think that we do need to move ahead. I recognize that it is short-term. I am going to vote in favour of it with a very significant caveat, and that is in order to allow us to proceed as quickly as possible towards the minister's permanent legislation.

I believe, as does the member for Eglinton, who quite frankly has taken some criticism from the member for Riverdale, that landlords are a necessary ingredient in the long-term solution. The minister said with respect to that, in responding to our critic's comments last night, that she could cut up certain parts of the speech and send certain parts of it to tenants and certain parts of it to landlords. I understand the spirit in which that was said; that is the nature of the business. As the minister said earlier in his comments, it is the nature of this business that no matter what you do you are going to take criticism for it.

In a very serious vein, I believe the minister acknowledges that that is a necessary part of the solution. That is very important. I want to state very clearly for the record that the reason I will be standing in support of this bill for second reading is with a view to see what might happen in terms of the process that may bring amendments to it, and to do nothing that I feel would stop this from moving forward.

Second, I am also interested in moving towards the permanent legislation the minister speaks of. It is with that in mind that I am prepared to support this bill, but with that in mind only. I want to make that very clear because I feel very passionately about this issue, as do most members.

We talk of housing strategy. I am very well aware of the fact that non-profit accommodation does not fall under the strictures of rent review. There was some comment made about that last night; the minister made some apparent criticism of the critic's comments with respect to non-profit housing.

I bring that up because at present in Peel region, the area I represent, there are 7,000 people on the waiting list for non-profit housing. That amounts to a three-year waiting list. I use that as a point of departure in putting on the record what I believe—in part I share with the member for Burlington South—is one of the issues that needs to be addressed in the long-term strategy the minister will be considering.

It seems to me that the strategy and the philosophy undertaken by non-profit housing in Peel, which is considered by many to be a model, has a direct bearing here. What they have done is this. They have said that in provision of non-profit housing, they want to take their units and contribute, as the minister well knows, a percentage of those units for deep subsidy, a percentage for shallow subsidy and a smaller percentage, the remaining 20%, for market. Therein, I believe, lies a very important philosophy, a thread that runs through the operation of Peel Non-Profit Housing Corp, that I would urge the minister to consider as we look at rent review in its general terms.

I, like the member for Burlington South, believe that one of the fundamental problems with our rent review legislation as it presently exists is its failure to distinguish between various levels of economic need in the province, and also the fundamental failure to not recognize the distinction between social assistance housing and marketplace housing. I believe that in a perfect world—we do not live in a perfect world—we could arrive at a solution whereby people have the opportunity to be in rental protection where needed and as required or some sort of subsidy in terms of their housing requirements, that they would then be given the opportunity to move into what I believe would be ideal: into the marketplace economy in terms of housing.

Can that be achieved? I believe it can. I believe there is enough wisdom that is not the purview of any one party or any one individual or group of individuals. I believe that if there is a will we can move towards providing accommodation for people at all levels of the economic social strata.

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I think part of that is borne out by the following: Three in four tenants who earn over \$45,000 per year—in the \$45,000 to \$60,000 range of income—pay less than 20% of their income on rent. I think that begs the question: Is it therefore necessary in all cases to have the structure of rent controls that the minister is imposing in this situation? Two out of three tenants who earn \$15,000 to \$20,000 pay more than 30% of their income on rent. Therein lies a significant problem and I think the driving force and motivation behind rent controls. But I remind the minister, and it has been said by many people in the third party and by our critic, that the vast majority of landlords, the representatives of 80% to 85% of all apartment units in Ontario, did not file applications, and their increases were limited to under 5% on average.

I think that bears repeating. It has been said over and over again, but the underlying message is this: Is it necessary, to use an overworked cliché, to overkill by putting the moratorium on at present with the strictures that it has? We have heard of the economic impact it has had on many people. Indeed the minister, as perhaps one of the perks that go with the office, was subjected to a situation with hundreds of people in front of the House demonstrating, and unfortunately was not given an opportunity to really put his point of view forward. I regret that. I know many of my colleagues on this side have experienced that same situation. I think that is what we need to do: have an open and honest dialogue. The minister has invited that, and for that I applaud him.

I am also concerned about something I have heard throughout some of the discussion from members on the government side, and that is a very clear tenant bias. I do not mean tenant advocacy. I think that is entirely appropriate; I endorse that fully. My colleague the member for Eglinton has distinguished herself consistently over many years in terms of her role as a tenant advocate for the 68%-plus members of her constituency who are tenants. I have no difficulty with that.

As the minister moves towards a comprehensive review of rent legislation, I think part of the underlying philosophy and principle of tenant protection in this province is in fact tenant advocacy. Our party has no difficulty with that. I do not presume to speak on behalf of the third party, but I suspect it too has no problem with that underlying philosophy.

It seems to me that part and parcel of the equation, and I come back to my starting point, is that there cannot be an honest dialogue, there cannot be an honest attempt to fundamentally look at the need of a long-term comprehensive housing strategy, with a particular bias.

If I can deviate just for a moment—bear with me, because this will apply directly to Bill 4, the bill before us—I had a group of students visit today from a school in the Toronto area. They met with their member, who is a member of the third party, and they wanted to talk to a member who had been both a backbencher in government and now in opposition to get a different perspective on the roles we fulfil as members of this assembly. One of the questions put to me was, “Why are you a member of the party you

are a member of?” I told them I had an opportunity to speak on this bill today. I said it is precisely because of that, the philosophy I think we can bring to bear on this type of situation, that I am a member of the Liberal Party of Ontario.

I have no difficulty with advocacy. I think we have to be very careful in terms of blatant biases. I say that with all respect to the minister, whom I regard highly and have had the opportunity of knowing for many years prior to coming to this House. But it seems to me, and I do not know how to say it more plainly, that the way to arrive at a solution is to go into it, as much as is humanly possible—because each one of us has our own particular bias; I recognize that. I tend to be—as the former interim leader of the third party, Mr Brandt, the distinguished former member for Sarnia said—a blue Liberal. So I come with a particular bias and a particular philosophical approach to things. It may be in considerable antipathy to some of my colleagues opposite, but I recognize that and I think they recognize too their philosophical direction and fundamental philosophy.

But inasmuch as it is possible, I would urge the minister to put aside those biases, put aside the rhetoric I have heard, that I believe serves no good purpose, that can only inflame, that can only have people dig in their heels, that can only have landlords, as a group in this province, say that there is no real consultation, that the rules are being changed halfway through the game. In that spirit, I ask honestly, what kind of co-operative spirit can we really expect?

The reason I am part of this party and I stand here saying, without any fear of retribution no matter what may be said, either in jest or in all sincerity—I have no difficulty with the minister saying to my friend the member for Eglinton or to myself, “You can cut up your speech and you can send part of it to the tenants and tell them you support them and part of it to the landlords and tell them that you support them.” I do not have any difficulty with that and I say that unashamedly. But I hope that at the end of the day the legislation we have in fact embodies that very principle, that it is something that is fundamentally fair to landlords and to tenants.

I think it need not be a situation of adversaries. I think it need not be a situation where it is presumed that there cannot be a meeting of the minds, that we cannot reach a compromise—which is not, I say to my friends opposite, a dirty word—in which tenant advocacy is embodied and the protection that is due is afforded tenants, with a realistic approach for landlords who have invested, as I heard today from my friend the member for Dufferin-Peel, who talked about real people and families who have put their life savings into having buildings and acquiring income properties.

I spoke this morning to a small businessman in Brampton. He has a small engineering firm. We were not even talking about rent review legislation, about Bill 4, and he just said parenthetically:

“I want to tell you that it’s hurting me badly. Half of my people are going. I’m not a big company. I only have eight people, but four of them are going. The kind of work

we do is structural work. We don't do renovations, we don't do high-ticket items. We do basic structural things like balconies, things like parking garages."

I am not going to run over that; members have heard much about that. But they are real people.

I have heard in other discourses in this House, particularly with respect to Bill 1—I have made an appointment with the member for Etobicoke-Humber to discuss with him the fact that I was actually watching this last night, about 24 hours ago. It gave me great concern. I heard people talking at great length last night and other nights about "real people" as they were debating Bill 1. Landlords are real people too. Landlords are not all big, impersonal corporate structures and millionaires. They are not all people who are living the high life at the expense of tenants. They are people like you and me.

Mr Bradley: Some are even cabinet ministers.

Mr McClelland: The member for St Catharines reminds us that some landlords were cabinet ministers in the former government. There is nothing wrong with that. I would urge the minister to have, as much as possible, recognizing the bias—and it is clearly stated; he ought to be commended for the fact that he has been forthright and honest about that, but there is a given bias there. I would hope that he would be very careful as he approaches the legislation.

I am not going to go on. I hope we will have time for the member for Grey. I wanted to speak and I asked my colleagues in caucus if I could have an opportunity. I very, very strongly wanted to speak on this issue, to get on the record and indicate again to this House and to the people in my riding that I will be voting in favour of this bill, but only because I believe it is necessary to move forward for that permanent legislation. I do not for one moment accept the draconian approach—and I use that word advisedly. I believe it is heavy handed; I believe it is overly restrictive in terms of some very legitimate cases.

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A fundamental thing that bothers me more than anything else is that people who have made commitments in good faith, people whose lives will be affected, people who have invested their life savings, some of them, in good faith—

Interjection.

Mr McClelland: The member for London North says it is two years; it may not be two years. In all fairness, the minister says it may not be, but it very well may be two years. People who moved in good faith, landlords, men and women, families in some cases, have worked two and three jobs to get together a bit of capital because they saw it as an opportunity to have retirement income. Those are real people, some who are not necessarily wealthy, and it is for those people that I feel a real sense of anguish in voting in favour of this.

The minister smiles. He has been there before, and he has had that dilemma as he has sat in this House many years prior to me. I ask him, in spite of the lateness of the hour and all of the words that he has had to endure and listen to—and I know he is doing that in the exercise of his

responsibility, dutifully and faithfully here tonight—not to smirk at that comment. It is going to be very, very tough for me to vote for this, because there are real people who are hurting badly because of this bill. But I will vote for it because I hope it will move us forward towards doing a comprehensive review, and I ask, as did the member for Burlington South, that we be honest and look at a fundamental review for a long-term housing strategy—if I can use the minister's own words—that would encompass the needs of everybody involved, all parties of all interests.

For that reason, Mr Speaker, I thank you for the opportunity of having made some brief comments this evening.

Mr Bisson: There are a few points I would like to raise in regard to what the member opposite was talking about. I think we have to keep in mind a couple of very important points. What this legislation is doing in regard to the moratorium is not making the decision as to how rent control legislation is going to happen in this province; it is basically only freezing rents to give an opportunity for the government and people on all sides of the House to be able to consult, to be able to put together the legislation that is needed in this province. Let's keep that in mind, the reasoning, and I think the members opposite and the members on this side of the House understand, that if it had not been done, we would be in the situation in this province six, seven, eight or nine months from now when the legislation is put together, in which people would have had rent increases under the old legislation that would have been in excess of what would be deemed as being reasonable by the people of this province. So we need to keep that in mind.

Mr Callahan: Let me say very quickly, because I understand my colleague wants to allow a member of the third party to speak, I think very often in this House we cast a net—and we are all guilty of that, the government, probably our party and probably the Conservatives were too—that is far too wide. We see bogymen out there and we figure that they are all bogymen, so we cast the net and we try to catch everybody. Unfortunately, I think that is what the minister is doing. He is casting the net far too wide.

In two years' time, I would like to be back here. I am sure we all will be back here, because we will not have an election. We will be back here and we will be saying to ourselves: "What happened to those apartments? What happened to those homes that real people lived in?" They became destroyed because the minister cast the net so widely to catch the people who were gathering the funds, and he caught the little guys, the little fish, who honestly kept up their apartment buildings. I think he is going to be sorry that he has done this. That is all I can say.

Mr McClelland: In a very brief response, I want to say to my friend the member for Cochrane South I know the hour is late, but I think that if he had heard me, I started out by saying very fundamentally that with respect to the minister's comments last night I wanted to very clearly recognize that this is a moratorium of limited duration. It may last two years; it may not. I said that at the outset. In light of that, my comments hold.

Again, that is indicative of the concern I have. Let's not go into this with preconceived ideas. The member for Cochrane South jumps to his feet and automatically assumes—he has a mindset that prohibits him from hearing what was said at the outset and the foundation of my comments. He has already got that tunnel vision, and that is what is problematic about this bill.

The member for Cochrane South talks about what terrible things would have happened in the absence of this legislation. People have been talking about the things that are happening because of this legislation, and two wrongs do not make it right, I say to the member for Cochrane South. That is the fundamental problem with Bill 4. It is going after a potential problem of 15% of the target group, the landlords, but it is affecting every one of them.

As my friend the member for Brampton South has so well said, it casts the net broadly across the whole scope of landlords and captures them all, many inappropriately, many unfairly, many caught in situations where—and I will not get into the technical details of it; the member for Cochrane South is certainly intelligent enough to under-

stand the complexities of financing—people will be caught with buildings where their mortgages are greater than the value of the buildings. We can think of all the problems that is going to generate and that will be as a direct result of Bill 4.

I say again, to the extent that it is possible for any one of us—we all have our biases—let's try to put them aside and be reasonable and deal with this and move forward to some good, comprehensive, helpful legislation.

The Deputy Speaker: The member for Grey.

Mr McClelland: Mr Speaker, on a point of order: I do not know if it is pertinent; I am in your hands. I was wondering if we might extend for a few moments—I went longer than I had planned—to give the member for Cochrane South five more minutes.

Mr B. Murdoch: We will probably still be here on Monday, so I do not mind adjourning.

On motion by Mr B. Murdoch, the debate was adjourned.

The House adjourned at 2357.

ALPHABETICAL LIST OF MEMBERS

(130 seats)

First Session, 35th Parliament

Lieutenant Governor: Hon Lincoln M. Alexander, PC, QC

Name of member	Constituency	Party	Other responsibilities
Abel, Donald	Wentworth North	NDP	
Akande, Hon Zanana L.	St Andrew-St Patrick	NDP	Minister of Community and Social Services
Allen, Hon Richard	Hamilton West	NDP	Minister of Colleges and Universities, Minister of Skills Development
Arnott, Ted	Wellington	PC	
Beer, Charles	York North	Lib	
Bisson, Gilles	Cochrane South	NDP	Parliamentary assistant to the Minister of Mines, parliamentary assistant to the Minister of Northern Development
Boyd, Hon Marion	London Centre	NDP	Minister of Education
Bradley, James J.	St Catharines	Lib	
Brown, Michael A.	Algoma-Manitoulin	Lib	
Buchanan, Hon Elmer	Hastings-Peterborough	NDP	Minister of Agriculture and Food
Callahan, Robert V.	Brampton South	Lib	
Caplan, Elinor	Oriole	Lib	
Carr, Gary	Oakville South	PC	
Carter, Hon Jenny	Peterborough	NDP	Minister of Energy
Charlton, Brian A.	Hamilton Mountain	NDP	Parliamentary assistant to the Minister of Energy
Chiarelli, Robert	Ottawa West	Lib	
Christopherson, David	Hamilton Centre	NDP	Parliamentary assistant to the Minister of Economics
Churley, Marilyn	Riverdale	NDP	Parliamentary assistant to the Minister of the Environment
Cleary, John C.	Cornwall	Lib	
Conway, Sean G.	Renfrew North	Lib	
Cooke, Hon David S.	Windsor-Riverside	NDP	Minister of Housing, Minister of Municipal Affairs
Cooper, Mike	Kitchener-Wilmot	NDP	
Coppen, Hon Shirley	Niagara South	NDP	Minister without Portfolio, Chief government whip
Cordiano, Joseph	Lawrence	Lib	
Cousens, W. Donald	Markham	PC	
Cunningham, Dianne E.	London North	PC	Chief whip
Curling, Alvin	Scarborough North	Lib	
Dadamo, George	Windsor-Sandwich	NDP	Parliamentary assistant to the Minister of Transportation
Daigeler, Hans	Nepean	Lib	
Drainville, Dennis	Victoria-Haliburton	NDP	Parliamentary assistant to the Minister of Citizenship
Duignan, Noel	Halton North	NDP	
Elston, Murray J.	Bruce	Lib	House leader
Eves, Ernie L.	Parry Sound	PC	House leader
Farnan, Hon Mike	Cambridge	NDP	Solicitor General, Minister of Correctional Services, minister responsible for the provincial anti-drug strategy
Fawcett, Joan M.	Northumberland	Lib	
Ferguson, Will	Kitchener	NDP	Parliamentary assistant to the Minister of Municipal Affairs
Fletcher, Derek	Guelph	NDP	Parliamentary assistant to the Minister of Consumer and Commercial Relations
Frankford, Robert	Scarborough East	NDP	Parliamentary assistant to the Minister of Health
Gigantes, Hon Evelyn	Ottawa Centre	NDP	Minister of Health
Grandmaitre, Bernard	Ottawa East	Lib	
Grier, Hon Ruth A.	Etobicoke-Lakeshore	NDP	Minister of the Environment
Haeck, Christel	St Catharines-Brock	NDP	Parliamentary assistant to the Minister of Colleges and Universities
Hampton, Hon Howard	Rainy River	NDP	Attorney General
Hansen, Ron	Lincoln	NDP	

Name of member	Constituency	Party	Other responsibilities
Harnick, Charles	Willowdale	PC	
Harrington, Margaret H.	Niagara Falls	NDP	Parliamentary assistant to the Minister of Housing
Harris, Michael D.	Nipissing	PC	Leader of the Progressive Conservative Party
Haslam, Karen	Perth	NDP	First Deputy Chair of the Committee of the Whole House
Hayes, Pat	Essex-Kent	NDP	Parliamentary assistant to the Minister of Agriculture and Food
Henderson, D. James	Etobicoke-Humber	Lib	
Hope, Randy R.	Chatham-Kent	NDP	Parliamentary assistant to the Minister of Community and Social Services
Huget, Bob	Sarnia	NDP	
Jackson, Cameron	Burlington South	PC	
Jamison, Norman	Norfolk	NDP	Parliamentary assistant to the Minister of Industry, Trade and Technology
Johnson, Paul R.	Prince Edward-Lennox-South Hastings	NDP	Parliamentary assistant to the Chairman of the Management Board of Cabinet
Jordan, Leo	Lanark-Renfrew	PC	
Klopp, Paul	Huron	NDP	Parliamentary assistant to the Minister of Agriculture and Food
Kormos, Hon Peter	Welland-Thorold	NDP	Minister of Consumer and Commercial Relations, Minister of Financial Institutions
Kwinter, Monte	Wilson Heights	Lib	
Lankin, Hon Frances	Beaches-Woodbine	NDP	Minister of Government Services, Chairman of the Management Board of Cabinet
Laughren, Hon Floyd	Nickel Belt	NDP	Deputy Premier, Treasurer of Ontario and Minister of Economics
Lessard, Wayne	Windsor-Walkerville	NDP	Parliamentary assistant to the Minister of Financial Institutions
MacKenzie, Hon Bob	Hamilton East	NDP	Minister of Labour
MacKinnon, Ellen	Lambton	NDP	
Mahoney, Steven W.	Mississauga West	Lib	Chief whip
Malkowski, Gary	York East	NDP	Parliamentary assistant to the Minister of Citizenship
Mammoliti, George	Yorkview	NDP	Parliamentary assistant to the minister responsible for the provincial anti-drug strategy
Mancini, Remo	Essex South	Lib	
Marchese, Hon Rosario	Fort York	NDP	Minister of Culture and Communications
Marland, Margaret	Mississauga South	PC	
Martel, Hon Shelley	Sudbury East	NDP	Minister of Northern Development, government House leader
Martin, Tony	Sault Ste Marie	NDP	Parliamentary assistant to the Minister of Education
Mathysen, Irene	Middlesex	NDP	
McClelland, Carman	Brampton North	Lib	
McGuinty, Dalton	Ottawa South	Lib	
McLean, Allan K.	Simcoe East	PC	
McLeod, Lyn	Fort William	Lib	
Miclash, Frank	Kenora	Lib	
Mills, Gordon	Durham East	NDP	Parliamentary assistant to the Solicitor General
Morin, Gilles E.	Carleton East	Lib	Deputy Speaker, Chair of the Committee of the Whole House
Morrow, Mark	Wentworth East	NDP	
Murdoch, Bill	Grey	PC	
Murdock, Sharon	Sudbury	NDP	Parliamentary assistant to the Minister of Labour
Nixon, Robert F.	Brant-Haldimand	Lib	Leader of the Official Opposition
North, Hon Peter	Elgin	NDP	Minister of Tourism and Recreation
O'Connor, Lawrence	Durham-York	NDP	Parliamentary assistant to the Minister of the Environment
Offer, Steven	Mississauga North	Lib	
O'Neil, Hugh P.	Quinte	Lib	
O'Neill, Yvonne	Ottawa Rideau	Lib	
Owens, Stephen	Scarborough Centre	NDP	
Perruzza, Anthony	Downsview	NDP	Parliamentary assistant to the Minister of Revenue
Philip, Hon Ed	Etobicoke-Rexdale	NDP	Minister of Transportation

Name of member	Constituency	Party	Other responsibilities
Phillips, Gerry	Scarborough-Agincourt	Lib	
Pilkey, Hon Allan	Oshawa	NDP	Minister of Industry, Trade and Technology
Poirier, Jean	Prescott and Russell	Lib	
Poole, Dianne	Eglinton	Lib	
Pouliot, Hon Gilles	Lake Nipigon	NDP	Minister of Mines, minister responsible for francophone affairs
Rae, Hon Bob	York South	NDP	Premier, Minister of Intergovernmental Affairs
Ramsay, David	Timiskaming	Lib	
Rizzo, Tony	Oakwood	Ind	
Runciman, Robert W.	Leeds-Grenville	PC	
Ruprecht, Tony	Parkdale	Lib	
Scott, Ian G.	St George-St David	Lib	
Silipo, Tony	Dovercourt	NDP	
Sola, John	Mississauga East	Lib	
Sorbara, Gregory S.	York Centre	Lib	
Sterling, Norman W.	Carleton	PC	
Stockwell, Chris	Etobicoke West	PC	
Sullivan, Barbara	Halton Centre	Lib	
Sutherland, Kimble	Oxford	NDP	
Swarbrick, Hon Anne	Scarborough West	NDP	Minister without Portfolio responsible for women's issues
Tilson, David	Dufferin-Peel	PC	
Turnbull, David	York Mills	PC	
Villeneuve, Noble	Stormont, Dundas and Glengarry	PC	Second Deputy Chair of the Committee of the Whole House
Ward, Brad	Brantford	NDP	Parliamentary assistant to the Minister of Skills Development
Ward, Margery	Don Mills	NDP	Parliamentary assistant to the Minister of Government Services
Wark-Martyn, Hon Shelley	Port Arthur	NDP	Minister of Revenue
Warner, Hon David	Scarborough-Ellesmere	NDP	Speaker
Waters, Daniel	Muskoka-Georgian Bay	NDP	Parliamentary assistant to the Minister of Tourism and Recreation
Wessenger, Paul	Simcoe Centre	NDP	Parliamentary assistant to the Attorney General
White, Drummond	Durham Centre	NDP	
Wildman, Hon Bud	Algoma	NDP	Minister of Natural Resources, minister responsible for native affairs
Wilson, Fred	Frontenac-Addington	NDP	Parliamentary assistant to the Minister of Correctional Services
Wilson, Gary	Kingston and The Islands	NDP	Parliamentary assistant to the Minister of Culture and Communications
Wilson, Jim	Simcoe West	PC	
Wininger, David	London South	NDP	Parliamentary assistant to the minister responsible for native affairs
Wiseman, Jim	Durham West	NDP	
Witmer, Elizabeth	Waterloo North	PC	
Wood, Len	Cochrane North	NDP	Parliamentary assistant to the Minister of Natural Resources
Ziemba, Hon Elaine	High Park-Swansea	NDP	Minister of Citizenship, minister responsible for disabled persons, minister responsible for the Ontario Human Rights Commission, minister responsible for race relations, minister responsible for senior citizens' affairs

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 Members: Donald Abel, Will Ferguson, Derek Fletcher,
 Paul R. Johnson, Leo Jordan, Ellen MacKinnon,
 Frank Miclash, Tony Ruprecht, John Sola, Jim Wilson
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 Members: Charles Beer, Christel Haeck, Randy R. Hope,
 Gary Malkowski, Tony Martin, Lyn McLeod, Stephen Owens,
 Tony Silipo, Jim Wilson, Elizabeth Witmer
 Clerk: Lynn Mellor

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Legislative Assembly of Ontario

First Session, 35th Parliament

Official Report of Debates (Hansard)

Thursday 13 December 1990

Assemblée législative de l'Ontario

Première session, 35^e législature

Journal des débats (Hansard)

Le jeudi 13 décembre 1990

Speaker
Honourable David Warner

Clerk
Claude L. DesRosiers

Président
L'honorable David Warner

Greffier
Claude L. DesRosiers

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LEGISLATIVE ASSEMBLY OF ONTARIO

Thursday 13 December 1990

The House met at 1000.

Prayers.

ORDERS OF THE DAY

PRIVATE MEMBERS' PUBLIC BUSINESS

DEAF PERSONS' RIGHTS ACT, 1990

Mr Abel moved second reading of Bill 22, An Act to provide for Certain Rights for Deaf Persons.

Mr Abel: It is my pleasure to speak today on private members' Bill 22. This particular type of bill is not new to this House. In fact, it was not long ago that the former member for Durham West proposed a similar bill, and I wish to commend her for her hard work and efforts put towards that bill. Unfortunately, the bill did not make it through, and myself being hearing-impaired, it was with great pleasure that I was given the opportunity to introduce Bill 22 for first reading on Monday last.

This legislation would prevent discrimination against deaf people accompanied by hearing-ear dogs. This legislation will give deaf people with hearing-aid dogs the same rights of access as those that are now enjoyed by blind people under the Blind Persons' Rights Act. My bill is patterned after that act.

The purpose of this bill is to ensure that deaf people are not discriminated against because they are accompanied by hearing-ear dogs. These dogs are guide-dogs and should be treated the same as seeing-eye dogs. If this bill is passed, it will be against the law to deny any person accommodation, services or facilities available in any public place because he or she is a deaf person accompanied by a guide-dog. In addition, no one would be able to deny a deaf person with a hearing-ear dog occupancy of any self-contained dwelling unit.

Under this legislation the Attorney General or a designated officer can, upon request, issue to a deaf person an identification card. This card would identify a deaf person and his or her guide-dog. This card would be proof that the deaf person and his or her dog are qualified for the purposes of this legislation.

This bill also contains a clause that the Lieutenant Governor in Council may make regulations prescribing the qualification for guide-dogs. I would anticipate that those would be along the same lines as the Blind Persons' Rights Act, which recognizes the dogs that are trained at particular facilities as seeing-eye dogs.

Contravention of this act would carry a fine of \$2,000.

In approving this bill, the Legislature will continue a relatively new trend for recognizing the rights of deaf people in this country. With the exception of British Columbia, there is no other province in this country that protects the rights of deaf people to be accompanied by guide-dogs. This is the case even though there are at least three training programs for hearing-ear dogs.

As I have mentioned, British Columbia is the only province in Canada that has this legislation. In contrast to that situation, those rights are almost universal in the United States.

I cannot emphasize enough the importance of the work being done by Hearing Ear Dogs of Canada in training dogs to alert hearing-impaired people to sounds such as a baby crying, an alarm clock, a smoke detector, a malfunctioning car, and a telephone. As hearing people, including myself with only partial hearing, we take all these sounds for granted, but that is not the case for a deaf person.

To date, Hearing Ear Dogs of Canada, which is based in Ancaster, has placed over 60 dogs throughout Canada, with the majority going to hearing-impaired people in this province. The organization has approximately 20 people on its waiting list and 24 dogs that are currently being trained. Hearing Ear Dogs of Canada is a non-profit, charitable organization which has been training dogs to assist the deaf since 1979. It costs about \$4,000 to train a hearing-ear dog, which takes approximately six months to train.

All the dogs are donated to the program, but not just any dog is cut out to be a hearing-aid dog. There are certain criteria that must be followed. The dog has to meet the requirements, such as having a friendly and outgoing personality, being of small to medium size and being healthy. The dog must also be under one year old. In fact, we have a dog in the House today accompanying the visitors in the gallery.

1010

These dogs are donated to the program and many of them come from humane societies. Training begins with basic obedience and all commands are taught in both sign language and verbally. Each of the hearing-ear dogs is trained to match the specific lifestyle of the deaf person with whom the dog will be placed. For example, if a deaf person is a woman with a young baby, the dog would be trained to alert her to the sound of that crying baby, or if a hearing-impaired person lives in an apartment, the dog is trained to respond to the apartment intercom.

When a young dog begins training, it is placed in a foster home for several months. This way the dog can learn how to interact in a family situation. Once the dog is ready for placement, the trainer accompanies him or her to the new home. During this placement period, which lasts about a week, the trainer helps to get the dog acquainted with the new home. It also gives the dog and the owner a chance to learn to work together and get to know each other.

It is interesting to note that the deaf person does not have to pay for the hearing-ear dog. As a non-profit organization, Hearing Ear Dogs of Canada relies on donations to support its program.

Hearing-ear dogs can be identified by their special orange collar and orange lead. Deafness is often referred to as the invisible handicap. You cannot see hearing impairment, but you can see that orange collar and orange lead. It is hoped that soon that signal will be as readily recognized as the harness on the seeing-eye dog.

The hearing-ear dogs program has the support of agencies such as Lions clubs, the Canadian Hearing Society and others, which also includes certain transportation organizations.

The deaf are probably the most socially isolated of all of our handicapped groups in this country. Hearing-ear dogs have opened up a whole new world for many deaf people. I feel this legislation is a logical step in recognizing these dogs and their tremendous importance. No deaf person should be denied access to any public place or accommodation when accompanied by a hearing-ear dog. I want to make sure that there is absolutely no question about rights of access for deaf people with their dogs. It is absolutely essential, in my view, that these rights should be recognized in legislation. At no time should a hearing-impaired person be discriminated against because he is accompanied by his dog. I want to make sure that deaf people with hearing-ear dogs have unrestricted access to public transportation, that they can get accommodation even though they have a dog, go out for a meal in a restaurant accompanied by their dog and have no fear of being turned away from any door.

These dogs are not pets. They are working dogs. They are an extension of the deaf person who relies on that dog. I urge all members to support this bill and I thank you for the opportunity to speak on this very important issue.

Mr Ruprecht: I am delighted to participate in this debate and would like to congratulate the member for Wentworth North on introducing, or should I rather say reintroducing, this specific piece of legislation, which had been introduced one time, as he kindly mentioned earlier, by Mrs Stoner, who in fact had someone who was hearing-impaired working in an office. Her name was Jill Johnson and she did bring her working dog in to the office.

I would like to address myself first to this specific bill before I indicate a few more details later.

This legislation before us I hope will be supported by everyone unanimously, first because we have in place already legislation of a similar kind in terms of seeing-eye dogs, and that of course is essential for people who would like to participate in the good life of Ontario.

In terms of Bill 22 there are some sections, I think, that are important to notice; first, that the hearing-ear dogs should be permitted in public places anywhere a person can go, whether it is on the subway, whether it is to rent a room or an apartment or a house, whether it is a public library, whether it is a theatre, any place where the public gets access.

Second, if a person who is hearing-impaired would like to rent accommodation, that sometimes of course may be prejudicial because of an animal being brought into that accommodation and I think it is only fair and right that this should be part of the legislation, that there should be and must not be discrimination in terms of a hearing-ear dog or

a seeing-eye dog, that that might be or should be a problem for anyone who would like to rent accommodation. It is important that this is in this bill.

In terms of identification cards, yes, there may be a minor problem inasmuch as the bill may not be specific enough. On page 2, subsection 3(1), it says,

"The Attorney General or an officer of the ministry designated by the Attorney General in writing may, upon application therefor, issue to a deaf person an identification card identifying the deaf person and his or her dog guide."

I would only hope that that will be specifically worked on and that would not cause any problem to anyone. Consequently, there should be one specific person identified in the office who has got the authority to issue these identification cards and that person obviously should be trained and understand the problems that might arise.

I think that in terms of section 3, it may be clear enough that there will be no delays in how to get an identification card. Should this bill pass, is the person who is hearing-impaired almost immediately issued a card, how long will that process take, who will be responsible and how can it be checked? I assume that may only be a minor problem and it certainly should not hinder the passage of this particular bill.

And yes, there should be a penalty. If there is discrimination in whatever area, whether it is public transportation or access to any situation where everyone else has access, should there be discrimination in terms of renting a place because of a seeing-eye dog or a hearing-ear dog, yes, there should be a penalty.

I think the \$2,000 fine that the member has increased from, I think, the previous bill, a \$1,000 fine, is a good thing. I would only hope that we may never ever resort to a penalty, but nevertheless it is essential that it be part of this legislation.

In short, I think I, as the former minister for disabled persons, will certainly have no problem whatsoever supporting this legislation and I would only hope that this government and this particular member, who I think has a lot of influence with cabinet people—because the member for Wentworth North is a very able person in terms of pushing through this legislation. He has seen a need. That need is great, and in terms of discrimination, there should be none and I would expect that the government will not subject or relegate this specific legislation to the back burner or to some sideline or that there should necessarily be a great deal of cabinet discussion, or that in the end, Mr Speaker, you might have to resort to your final authority to make sure that this is pushed through. I know that may put you on the spot, but in any case, I would hope that we will move on this as quickly as possible.

I would like to read for the record a letter that was written by Jill Johnson which will identify quite specifically why a hearing-ear dog is really essential to the functioning and to the enjoyment of life of a person with a hearing disability. She writes a very interesting story.

"My family was at home, somewhere around the house, and I was in the kitchen, preparing for supper. Toby, as usual, was in the room with me, despite the fact the family was at home. I was cooking something in the oven

at a very high heat, and when I opened the door of the oven, Toby came to me, bumped his head on my knee (his way of alerting me) and walked away. My concentration was on the supper, so I thought he was being silly and patted him on the head: but he was persistent, and I had no choice other than to follow him...right to the smoke alarm. Our back door is about four or five paces away from the smoke alarm, so he was pushing me to the door, which I opened, and went outside. I finally became aware my family was not with me, and tried to go back to the house, but was prevented very firmly from doing so by Toby. To cut the story short, I finally got in the house to find my children downstairs with the TV apparently blaring, so the children told me, and my husband reading the newspaper in the living room. He heard the smoke alarm but did not put much importance to it. This literally made me finally realize that no matter whether a life or death situation, Toby works for me, and for me only. Needless to say, we now have a fire escape plan!"

1020

But it took a guide dog to prevent a possible accident that could cost someone his or her life. It therefore becomes essential that this bill is being passed and that hearing-ear dogs are being permitted in public places.

This really is special legislation because it has support from a number of institutions. When we look across the landscape of those organizations and institutions that are supporting this bill, we find a lot of them that are quite enthusiastic about this. There may even be some organizations or associations which might have some concern, but nevertheless they can see the essential significance of this bill. For instance, the Canadian Restaurant and Foodservices Association is supporting the bill. GO Transit, Fun-Trek Coach Lines, the Motion Picture Theatres Association of Ontario and the hotel and motel associations have no difficulty with this specific piece of legislation. Therefore, we should support this quite heartily.

Now just a word on the whole community of deaf persons. The significant actions that the community had taken not too long ago, in 1988, really put the whole deaf community on the map. Members will remember Galaudet University. Suddenly, we had literally heard from the deaf community as a whole. Suddenly, the whole picture changed when deaf persons decided to demonstrate to ensure that they would have a say in running the university, which was totally for deaf persons in the United States. They wanted people on the board of governors. They wanted to be part of the decision-making process of that university. Previously, who had ever heard of the deaf community and deaf people taking such an active role? I think that previously they were probably relegated to a different kind of association, a different kind of role in public life. For the first time, all of us, especially public decision-makers, became aware of their significance and that they wanted above all else to participate in life. And they demonstrated.

I give the member for York East a great deal of credit that just before the cabinet was chosen—I think it was the weekend before—he actually showed up in front of the Legislature steps and participated in a demonstration. I

think that we as legislators should never be afraid to stand up for the principles which we believe in. He decided to do this. He decided that it did not matter what anyone thought in this Legislature, whether it was the Premier or any one of us. He decided he had to go and show his support. That to me is an act of courage, because it could mean various significant things for his future in his life in this Legislature. He decided to do it. So we have a great example from university life and a great example from our own member of this Legislature that there is now a different attitude within the whole community of disabled persons.

That to me is of great significance, because if we do anything here in this House that is of significance we must open the doors. Our previous government tried to do that, and to a great degree we succeeded. We tried as much as we possibly could to open the doors to anyone, anywhere. Most likely the proudest moment of my being here, and certainly the proudest moment in my former capacity as minister responsible for disabled persons, was to declare the Decade for Disabled Persons in Ontario, which had not been declared previously. We in this party could never figure out specifically why it had not been done, but we felt it was important enough and the former Premier felt it was an important enough step to give a signal and a symbol to all of the issues that have to do with disabled persons, and that is to set aside that special department and to set aside a person to highlight the needs of disabled persons and to establish a minister to overlook and to try to encourage enthusiastically, so that all ministries across this government would have a greater sensitivity and would be sensitized to the needs of disabled communities.

We see a great change of attitude within our own consciousness in this Legislature, within the members of the public, certainly within the community itself. Our job consequently—this is one of the indications—would be to open up and permit people to participate as fully as possible in the life of Ontario, and that means in every significant aspect. It should not be that we would say it cost too much. I remember when we had long discussions about changing the Ontario Building Code. It should not be a question of financial pride itself that we would say it is too expensive to do it. It should simply be an act of principle that we open the doors and encourage full participation so that all members of society, including every Ontario person, will feel that they are part of the community, that they can fully contribute. I support this bill and I thank the member for Wentworth North very much.

Mr Jackson: I am delighted to be able to rise, I believe for the fourth time in my short career here at Queen's Park, to address important legislation which deals with a matter of concern to those citizens in Ontario who are severely challenged.

I tend to look at legislation, on the face of it, as worthy of support if it improves the quality of life for the citizens of this province or if it advances their legitimate goals and needs and their agenda, because of their right to the same quality of life that is enjoyed by society here in Ontario; in fact, legislation which is sensitive and fair. For that reason, I believe this legislation clearly fits that test and is worthy of support by all members of the House.

My support for legislation for profoundly deaf people comes from my own personal background, as I have indicated on previous occasions. My uncle Taeodeor Marcyniuk was deaf from birth and went through his life suffering from very cruel prejudices growing up in the 1930s and 1940s in western Canada. He taught all of my brothers and sisters very much about the need for society to change its handicap in terms of its understanding of what the legitimate needs of the deaf community really are.

1030

So I wish to commend not only the member for Wentworth North for his very first private member's bill in the House, which I am quite sure will be unanimously approved, but also the members who have gone before him: the member for Durham West, Mrs Stoner, who has been mentioned, who first introduced the whole program for hearing-ear dogs to the standing committee on social development, and I will come back to that in a moment; my close friend and colleague the former member for Scarborough West, whom I worked with on the social development committee and worked with closely to advance the issues of education for the profoundly deaf in this province, as well as for other rights that they legitimately deserve to have; and of course I recognize the current member for York East, who brings an important opportunity for us to learn and grow by his presence among us.

I would like to share a small story with the House in the time that I have allotted, because this bill has just not been presented to the House for the first time. It is a product of public hearings conducted by the social development committee in which I had the privilege of participating in May of this year. We had the opportunity to listen at first hand to those profoundly deaf persons who benefited from the hearing-ear dog program. As such, we were introduced to a whole world of understanding about the importance of not just the program but the program's relationship to the rest of society.

The bill, quite frankly, was introduced with that in mind—it deals with access and accommodation, it talks about identification cards—to ensure that the process of normalization, which is what all persons who are severely challenged expect and would hope, will allow us to accept them without seeing them as handicapped.

The social development committee decided, as we do on these occasions, on the spur of the moment that we thought that since we were in the Amethyst Room in this building—and for people who are watching this morning's Hansard, the importance of the Amethyst Room to this building for public hearings is that it has electronic Hansard; in fact, it can be televised all across Ontario to the citizens of this province—the Liberal chairman at the time thought it would be a good idea if we did a split screen and had the signing as we now have occurring in our House, that that same signing would occur for the members of the deaf community who had presented themselves at the time of the social development hearings.

Apparently at that time someone in the building complained about this process and an end was put to it. I feel it

was indeed unfortunate that the ruling from a previous Speaker—it was certainly not this Speaker; he has enough problems handling prayer in the Legislature at the moment; I am not going to hang this one on him—felt that there was no assurance that the persons doing the signing were in fact saying what was being said by the deputants before us. I thought, how sad, how prejudicial and how poor, because the hearings could have been an opportunity for the entire deaf community to have witnessed at first hand what was such an important presentation to us as legislators. We were being educated but we had an opportunity to share that with the rest of the province, and that was denied.

I am pleased that is no longer going to happen and our committee, all three political parties, was unanimous in support for electronic Hansard recognizing the profoundly deaf and their needs.

I would like to indicate that we are indeed fortunate that today in the Legislature we have a citizen of this province who uses the services of a hearing-ear dog. She has brought her close friend and companion of two and a half years, Heidi, who is in the Speaker's gallery. I certainly would like all members to know that we are very fortunate that this important companion is in the House with us today.

I would like to briefly talk to a couple of issues in the bill, because once this bill is approved today it will either go to committee of the whole House or go to committee. It certainly will not become law today, so that one of the functions of our debate is to offer suggestions for potential amendment should the bill proceed to, say, the social development committee so that it can become law as quickly as possible.

I had a couple of concerns which I wanted the member from the governing party to consider. He may wish to respond to them in his summary statement or he may wish to pass them on to the minister responsible for disabled persons.

I had a concern with respect to access. I believe that it might be interesting to note that when the original bill was drafted there were certain restrictions in Ontario for pets to co-habit in rental accommodations. I think the Attorney General of the day was unfairly branded with his Fluffy bill, but that became the moniker to describe legislation to allow tenants in Ontario to keep their pets. I am not so sure that since the Liberals brought in that legislation and had it approved that it does not offer a blanket safeguard for all pets and that the deaf community could not be discriminated against on that basis because no citizen can be discriminated against in Ontario on that basis.

On section 3 of the bill, which talks to identification cards, I would specifically ask the Attorney General or his ministry to provide identification cards. I hoped that the member would have addressed that issue to indicate that he had talked to the Attorney General and that he had received some assurances or feedback that in fact these cards will be forthcoming. I currently am having some difficulty with certain matters from the Office for Disabled Persons with respect to the Meals on Wheels program and licensing and identifications. There has been some recent

tightening up in that ministry and I have concerns that when we offer identification, that in fact we have been given some signals from another ministry that it will be forthcoming.

I have a concern with respect to clause 2(1)(b), which talks about discriminating "against any person with respect to the accommodation, services or facilities available in any place to which the public is customarily admitted, or the charges for the use thereof." There have been recent reports in the media of a very offensive practice, both in public transit and in licensed transportation such as cab driving, there have been incidents reported of the disabled community being bypassed. I take this matter very seriously and I question whether or not the current fine system is sufficient or, more important, that that section of the bill I referred to clearly covers that public transit or private transportation for fee cannot discriminate by driving past a person who presents himself to be picked up. I would not raise this if it had not been the subject of an investigation in this country, at least in one city, and it has been widely reported as a practice in one or two American cities. I think that section of the bill should be strengthened to clearly state that, for the protection of these people with their companions, their hearing-ear dogs.

1040

I have a couple of other items I wanted to raise, but because of the rotation in this morning's debate, one of the members in the official opposition has not been able to get on a few comments, and with the unanimous consent of the House, I would yield my last three minutes in favour of the member for Scarborough North. I thank the members for listening to my concerns with respect to this bill, but predominantly, my absolute support.

The Speaker: Do we have unanimous consent for the member for Scarborough North when, in rotation, he can use the remaining time? Agreed? I heard a "no"?

An hon member: Nobody said "no."

The Speaker: Okay. Further debate.

Mr Malkowski: First of all, I want to congratulate Norah Stoner, a former Liberal member of this House for Durham West, for initiating this bill and bringing to the attention of the House the issue of hearing-ear dogs. I also want to extend thanks to my friend the honourable member for Wentworth North for establishing this bill and for bringing it to the House, looking at the issue of hearing-ear dogs.

Having heard from various members here, the information has obviously shown a real sensitivity and people really do care about this issue. I have certainly heard stories from other deaf people. We heard about the story of Jill Johnson who lives in Oshawa, who raised her concerns and actually was instrumental in getting this whole thing started. I think it is very important that we do recognize the needs of people who use hearing-ear dogs and become very sensitive to those needs. I would also like again to thank the members from the third party as well as the Liberal party for bringing support to this bill.

I would like to just share a little bit of my own personal experience, having met with various deaf people in the

community. I think it is extremely important that we do have hearing-ear dogs available to make people feel that they are safe, that they are in a position to feel very secure in the community.

Hearing people tend to depend on sound in this world and this is a world that is based on sound, and hearing people take that for granted as part of their lives for safety reasons as well as for feelings of security and comfort. But those experiences are not common to deaf people. That is something that is not a common experience in our lives. For example, a deaf person within his or her own home or apartment or in a place such as a hotel or motel is often deprived of a lot of information.

We live in a world of vision and yet there are not visual alarm systems for fires, for example. If somebody comes to the door, often there is no system available, so the deaf person is not aware that somebody is there and that is a real lack, in many ways, in our own community. If somebody in the house were to fall, for example, or were to hurt himself, a deaf person would not be alerted to this occurrence, and that is an issue of safety.

On the issue of security, if there is a possible break-in or if a child is sick during the night, the deaf person is not aware of this, is not alerted to it, because he is not able to hear that this is going on. On security issues, we have heard of people who basically have almost spent their day in the kitchen because they do not know what is going on around them, they do not feel very secure in getting out into the world.

What is going to change that is having a hearing-ear dog. That helps in a variety of ways. It helps to identify sounds, such as somebody knocking at the door. The dog is able to alert the deaf person to this or to the phone ringing. Again, that is a system that is set up for the dog to alert the deaf person and as has been mentioned, something such as the water boiling in the kitchen. All of these things the dog is trained to alert its master to.

It is not an uncommon experience to have a sink run over because a person has forgotten to turn the tap off and has not heard the water running. In fact, it is an experience that is very common within the deaf community.

Often somebody comes to the door. For example, it was very common during the election that deaf people were not enumerated because they did not hear somebody come to the door to take their names for enumeration.

There have been incidents where the police have come to the door, not had a response and basically broken into the house, practically, only to find out that the individual was deaf. These are very common experiences within the community.

On the issue of security, deaf people alone in a home or in an apartment building, for example, often are very concerned about break-ins, and that is something that they are constantly on guard about. With something like a hearing-ear dog around, that is a form of protection for these people. I feel that this certainly impacts me, and obviously I personally am involved in such an issue.

I knew an individual who had a hearing-ear dog and seemed to be very excited about it. The two of us went to get on a bus and the bus driver refused to allow me and the

other individual to get on. Even though he had a licence for his dog, we were not permitted on the bus. We had quite a way to walk. We thought we would signal a cab and take a cab over to our destination, but again we were not allowed in the cab because there was no legislation that would allow the two of us to have access to this form of transportation. So the two of us ended up walking quite a distance.

This is open discrimination against both of us. I feel it is important that legislation be established. The two of us then went to seek legal advice and found that there was nothing in place that would prevent discrimination of this nature from occurring. This is a horrendous experience.

In summary, I have met various people, and met one woman named Diane Holt, who in fact is sitting up in the visitors' gallery at this time with her dog. This morning she was talking to me and related a bit about her own experience. In fact, she mentioned that she felt she could not live without her dog and that if she did not have the dog with her, she basically would spend her days in the kitchen, not feeling comfortable getting out, feeling that she was not in a secure position and that the dog instead has actually provided her with the confidence to get out into the world and be more active. In fact, she feels very safe and secure with her hearing-ear dog and this has increased her own self-confidence.

I think the message that this shows all of us is that this is very important legislation. This is very important to her life. Having this dog has allowed her to function in a very free and secure fashion in society. Therefore, I am certainly very pleased to say that I support Bill 22. I think this is a way to provide complete access for all people to be able to participate on an equal level in society so that deaf people are equal to hearing people. This is a world, an environment that is based on sound, and this allows us access to that world. I feel that deaf people should have the same rights as all hearing people.

Again, I want to congratulate my friend the member for Wentworth North for initiating this bill. I am very supportive of it and I am sure all of the members will be too.

Mr Curling: I want to thank the member for Burlington South for generously giving up his time for me to say a few words on this Bill 22. As you know, Mr Speaker, my party supports this very strongly. Bill 143, as it was previously, in its first life, was presented here by Norah Stoner, a very able, capable and well-respected member of this party and this House.

Monday 10 December was International Human Rights Day. When we do celebrate days like this, the thing is to bring awareness to people about some of the discrimination and the violation of people's rights as human beings. We as legislators have a responsibility, a very, very strong responsibility, to make sure that all persons in the province enjoy the rights delegated by law. But we have a further obligation and a further responsibility, and that is to identify individuals or groups who need protection or assistance to further enhance their ability to enjoy, and to serve in, this community. I myself was privileged to talk with the member for York East, who himself brings a new dimen-

sion to this Legislature, and I say that we have many such people who can contribute to this society.

1050

While, of course, in principle and while, of course, in force we support this bill, I just want to target on one area of the bill. It talks about the fine that should be increased from \$1,000 to \$2,000 or fines that are to be increased from \$100 to \$200. I do not think that even if we increased them from \$1,000 to \$10,000, it would make a vast difference. I think where the difference is in bills like these or laws like these is in educating people to change their attitudes towards people. We have to sensitize people to this. So while laws are being made, we have a responsibility as ambassadors here and as legislators to get out to sensitize people in that issue.

We are in very strong support of this bill, but to say and to continue to be more sensitive and to be more human and to bring more people into the fold, as we recognize people's rights are being violated.

Mr Drainville: It is my very great honour and privilege today to speak in support of this bill that has been put forth by the honourable member for Wentworth North. I would also like to say that it is a privilege to be in this House and experience the opportunity of speaking to a bill that was put forth first of all by a member of the Liberal Party, Mrs Norah Stoner. It is a wonderful experience to know that we in this House can speak about these rights and these freedoms, which all our citizens in Ontario should enjoy, and to have the opportunity to bring these things forth as a means of helping people in society.

There is no question—and I am not going to speak very long on this bill because it is a bill which has obvious merits—that to support this bill means to help prevent discrimination against deaf people accompanied by hearing-ear dogs. We have heard moving testimony by the honourable member for York East about the difficulties experienced by deaf people, we know that discrimination is still a reality in our society and we need to fight this and combat in as many ways as possible.

We also know that hearing-ear dogs play a valuable, perhaps even a crucial role in the lives of deaf people. We need to affirm that by passing this bill and by giving those people an opportunity to gain access which they need, an opportunity which will help them to function in society on an equal basis. This bill is a bill that speaks to the concepts of equity, of accessibility and of fairness. There is no question that when we speak about such things, they are things that we on this side of House, and I know throughout this House, support.

It is said that justice may be long in coming but that its coming is inevitable. We are attempting, through this bill that has been put forth by the honourable member for Wentworth North, to ensure that justice is done for those persons who are deaf in our community, and it is my very great honour to support this bill in the House today.

Mr Christopherson: I also rise to support Bill 22, presented by my colleague from Hamilton-Wentworth, the member for Wentworth North. Hamilton-Wentworth has played an important role in fighting for the rights of the

hearing-impaired, and I am pleased that the hearing-ear dogs training centre is indeed in our region and also the regional base of the Canadian Society for the Hearing-Impaired is in our region. It is something that we feel very strongly about and we take great pride in.

I also would like to just reflect on something that happened within the last 60 minutes that I think encapsulates the feeling of the public about these kinds of issues. I had the honour, a little while ago, of stepping out on a staircase, which many of the veterans here have done on many occasions, to go out with one of the school groups and have a picture taken. It was with the Cathedral Girls' High School in my riding. In my introductory remarks I mentioned to them that if they come into the House and we are having a debate, this is the issue and we are talking about the rights of the hearing-impaired to have a hearing-ear dog present similar to the rights that we have for the blind in our province. The response was spontaneous. They felt so strongly and immediately that that was something that clearly should happen, without a doubt. Actually, I think they would probably find it rather surprising that in this day and age that right is still not entrenched in legislation.

I think that it is incumbent on us, particularly in light of the historic seating of the member for York East, that we ensure this kind of legislation passes through this Parliament as quickly as possible. In the realm of social justice, nothing is more important right now than the area of human rights, and that is basically what we are talking about.

I heard my colleague the member for Burlington South and also the member for Wentworth North talk about this being the hidden handicap, and the member for Burlington South said "without seeing them as handicapped." That is what this is all about. For those of us who came into this Parliament, being in this House with the translators for the member for York East is as natural to us as seeing you in the Speaker's chair, Mr Speaker, as having the clerks here and indeed our own desks. It is that normal for us. We do not see anything unusual, and I think that is exactly what we are trying to establish with this type of legislation—to ensure that we are not seeing anything out of the ordinary other than, "There is the member for York East," and on with the debate and on with the issue.

I would feel very, very proud, as a member of this Parliament, if indeed I were here when we were able to pass this legislation and others like it, and I hope that it will have the unanimous support of this House. I say that without having a clue where the cabinet is on this one. But this is one of those issues of conscience that is extremely important to all of us. I would close by again complimenting my colleague the member for Wentworth North not only in presenting his first bill, but as I understand it, it is also, I think, the first private member's bill to be debated in this Parliament. I congratulate him for the historic, to us who are new, opportunity that has given him, but I also express my congratulations to him in the manner in which he has presented this and also the issue. I think it is most appropriate for our government that this is the first private member's bill and it is an issue of this nature that we would deal with.

Mr Sutherland: I just want to add my words of support for this bill. I think it is very significant that we are able to deal with this as the first private member's bill. I also want to mention that in one of my first responsibilities as the member for Oxford, I was at an engagement where the guest speaker was Ed Kincaid from the Canadian National Institute of the Blind, and he was there talking about funding for the school that trains the dogs not only for the blind but also for the deaf, just to let everyone know that there is a serious problem in there not being enough trained dogs in the province. So, I hope all of us will keep that in mind and support this bill.

Mr Abel: I want to thank everybody who participated in the debate. I thank members for their support and also for their constructive criticism. I think it is very important that we not discriminate against the hearing-impaired and that there never be a situation where the hearing-impaired with their guide dogs are denied their right to rent an apartment or to take a cab or to take a bus or even enter restaurants or theatres. I hope that Ontario would follow suit and follow the pattern or the trend that was set by British Columbia and support this Bill 22. I want to thank members very much and I look forward to their support on this bill.

The Speaker: Time allotted for consideration of this ballot item has expired. The matter will be voted upon at 12 of the clock.

1100

PACKAGING WASTE REDUCTION

Ms Poole moved resolution 4:

That, in the opinion of this House, since the National Packaging Protocol (NAPP) was endorsed by the Canadian Council of Ministers of the Environment on 20 March 1990, and included a target for the reduction of packaging waste by 50% by the year 2000; and since the environment protection industry offers unique opportunities to create new employment in Ontario; and since legislation had been drafted for presentation to this Legislature in the fall of 1990, after extensive consultation with special interest groups, affected parties and the waste reduction advisory committee; therefore the Minister of the Environment should, during the 1991 spring sitting of this Legislature:

1. introduce legislation or regulations to meet the targets of the National Packaging Protocol in Ontario;
2. require the reduction, reuse and recycling of packaging materials to divert a minimum of 20% of packaging waste from landfill or incineration by 1992, and 35% by 1996;
3. provide funding and other incentives for research and development in packaging reduction, reuse and recycling;
4. provide programs and incentives for market development for reuse and recycling of packaging products;
5. ensure that provincial government procurement policies reflect stringent packaging reduction guidelines.

Ms Poole: In the last few years, every member of this House has become aware of the fact that we are a very wasteful society in the consumer products that we use. In fact, we as Canadians lead very wasteful lives. Each Canadian every day of the year creates and sends to the garbage heaps 1.7 kilograms of garbage. This is one of the largest amounts of garbage per capita of any industrialized nation in the world.

Over the course of a year, the average family produces one ton of packaging waste through normal consumption of products. Of all this packaging waste, 80% is disposed of through incineration and landfill. In Ontario, packaging represents more than 30% of this province's municipal waste. These are indeed alarming figures and it is time to act and act now.

In this House I have listened to member after member talk about the garbage crisis we face and as we speak our new government is struggling to come to terms with this major problem. The Minister of the Environment has even advocated what I would call desperate measures, saying that if necessary she would use her emergency powers to extend the life of existing landfill sites even though there is no environmental assessment. We have to address this garbage crisis, this garbage nightmare, and we have to do it soon.

We realize that this is not a simple problem and there are no easy answers. We also realize that the answers are going to take time. But after taking a hard look at our society's consumptive nature, I believe that we as legislators have to stop waste at its source. Products do not have to be harmful to the environment. Packaging can be reduced. Packaging can also be substituted with materials that are biodegradable. Packaging can be made of materials which can be reused and, the best of all possible solutions, some packaging can be eliminated.

Excessive packaging has been a topic for much discussion over the last few years. The National Packaging Protocol is a policy paper on packaging management. It is a document that was born out of the investigations of the national task force on packaging which met extensively through 1989. The task force studied the management of packaging in relation to the famous 3Rs and looked at packaging from many different viewpoints, from the environmental life-cycle of packaging to the economic considerations, in developing a comprehensive packing strategy.

I am going to read the six recommended packaging policies of the protocol. First, all packaging shall have minimal effects on the environment. Second, priority will be given to the management of packaging through source reduction, reuse and recycling. Third, a continuing campaign of information and education will be undertaken to make all Canadians aware of the function and the environmental impacts of packaging. Fourth, these policies will apply to all packaging used in Canada including imports. Fifth, regulations will be implemented as necessary to achieve compliance with these policies. Finally, all government policies and practices affecting packaging will be consistent with these national policies.

Included with those six policies were targets for reduction and deadlines for them. The first deadline is about to pass. The Canadian Council of Resource and Environment Ministers had hoped to have nationally co-ordinated data collection programs in place to monitor the targets by 31 December 1990. Now, with less than three weeks to go before that date, I fear that it is extremely unlikely that the first of the targets will be met.

The second target was the 20% reduction of the 1988 level of disposed packaging waste. That target is to be met by 31 December 1992. The third target was a further reduction of 15% by 1996. Last, a full 50% reduction by the year 2000. These are indeed ambitious targets, but I think they are realizable and they are certainly laudable.

The above policies and targets have a national thrust, but they do require provincial legislation to make them effective and responsive to each province's own particular needs. The protocol is a worthy start in the battle against unnecessary and excessive packaging.

The National Packaging Protocol has even been endorsed by our Premier. In a 14 August 1990 letter to various environmental supporters, the Premier gave his support to the philosophy behind the National Packaging Protocol, but had certain misgivings regarding the proposal. I will quote him directly:

"We support the intent of the National Packaging Protocol signed earlier this year but believe its time lines are too generous and its goals too modest."

When our current Minister of the Environment was in opposition, she proposed resolutions with strong packaging clauses to cut down on waste and to curb the use of excessive packaging.

Just a little over a year ago, the minister pushed the former government for a commitment to "phase out containers and packaging products that cannot be diverted from the waste stream."

I know that both the Premier and the Minister of the Environment want to cut down on waste that is diverted to landfills every day and that they are in complete agreement with the need to cut down on the use of necessary packaging. But what this House is looking for today is a commitment by this government to help reduce the amount of packaging used in the province. I believe that the goals I have outlined are both reasonable and attainable. I want to stress that these percentage targets are minimum. That means that if the Premier and the minister are concerned that these minimums are too weak, they can make requirements to have them more stringent.

I have absolutely no problem with that and I hope that means that any member of this House, including the Premier's and the minister's colleagues, would not stop them from saying "aye" to this motion because any other vote than "yes" to this resolution would show the people of this province that all the fancy rhetoric is simply that, rhetoric. It would leave the impression that the politics of the issue are of more importance than the substance. We cannot afford to leave the public with that impression.

I also believe that the public can be trusted to make their commitment and do their part to conserve and to

recycle, but they have to be given a helping hand and this is where we come in.

1110

I should add that our former government had plans to introduce new packaging legislation this fall to reduce waste in landfills and incinerators and improve the use of materials. The legislation had specific targets. It had set 1995 as the year to eliminate disposable packaging. The new laws would have required all containers and packaging materials to be reusable or recyclable and be made with a regulated amount of recycled material by the target date. All packaging, both domestic and imported, would fall under the guidelines. Manufacturers would have to comply or face provincial-wide bans of their packaging.

The waste reduction advisory committee was in a position to recommend to the government packaging reduction regulations. These draft regulations were to be subject to public input before they were to become law. Our former government had plans that we feel would have addressed the packaging issue. The whole problem has been given a great deal of thought and I am sure that the Minister of the Environment has taken the opportunity to review the draft legislation and to formulate some ideas of her own on what could be done.

Up to this point I have not touched on those who would be most affected by government action on the issue, but I would like to point out to the Speaker and to the Legislative Assembly that business has already started to look for ways in which it can help solve the problem of its own wasteful habits.

Companies are changing their products, and in fact changing and improving the use of packaging. For example, Procter and Gamble Inc has made its powdered detergents more powerful. This means that less detergent has to be sold. Consequently, that means there is less packaging.

Business people have also become innovative in their search for better packaging methods and some unusual solutions have been developed to combat waste. Cork Foster, a small business person from St Thomas Ontario, has been using popcorn to pack his farm supplies instead of the non-biodegradable foam chips which he used to use. The solution saved him money. He is paying \$19 for 45 kilograms of popcorn, while he used to pay \$80 for the foam for the same amount of packing. But it has also been an environmentally friendly solution. Now when customers receive their purchases, they do not have to throw the foam chips into the garbage, they can take the popcorn outside and feed the birds.

Other companies are taking Mr Foster's lead and looking into alternative packaging methods. He has been contacted by IBM, Xerox and a number of companies from Europe.

Solutions to this problem do not have to be as complex as changing the chemical structures of products, and many will not be as innovative as Mr Foster's idea of the packing popcorn. But one thing we need is a solid commitment from all parties. I think a good start to that would be a commitment from all members of this Legislature.

Mr Cousens: Mr Speaker, I would first of all like to thank you for the excellent support you showed last evening to the whole Jewish community in allowing the menorah to be lit and participating in that ceremony. It was a credit to the Legislature, the job you, the Premier, the member for Wilson Heights and all members of all parties, did. I think there is something good that happens in this Legislature once in a while.

I would like to compliment the member for Eglinton for her resolution. I have never questioned the member for Eglinton's sincerity, because certainly anyone who works as hard and as conscientiously as she does has to be recognized as some solid worker. She got elected 6 September when the rest of Metro went NDP, and that had an awful lot to do with her own work.

Yet I have great questions about her timing on this motion. Notice that I am being very careful, because the member for Eglinton and I are on the same committee and we have been agreeing. This member has had four or five years—I forget how long; it seems like a long time that the member for Eglinton has been in this Legislature—a good chance to influence the Minister of the Environment when she was on the government side, and all kinds of opportunities to see this kind of change brought in.

Her timing is out. She should have done it before 6 September, not after, because now it is just as if she suddenly read the book and she is coming to life. I am glad she is alive. I am glad she is around. It does not take much to look at what happened on the Liberal benches when she was sitting there on the government side when the House debated a very similar motion that was presented by the present Minister of the Environment. She was calling for something of the same kind of thing to be implemented in a waste reduction strategy by March 1990. It was a good resolution then, but she is going through another problem now and I will come to that one in a moment.

The Minister of the Environment, when she was the prophet, the spokesperson for the New Democratic Party, has become—and she said yesterday, “Don’t call me toothless.” She will never be toothless. That lady has so much power in the Ministry of the Environment, everybody in the province of Ontario should be sitting up and listening to her. Unfortunately, she is not saying anything. When she does come along and say something, I am worried about what it is going to be, because by then there will be so much pent-up demand.

In the meantime, we are dealing with this honourable member for Eglinton. You know, the Liberals had a great chance to implement the strategy that was then proposed by the present Minister of the Environment and did not. So when you look at the minister's motion, which called on the provincial government to “phase out containers and packaging products that cannot be diverted from the waste stream” and to “introduce the needed legislation and establish the required policies at the opening of the March 1990 session of the Legislature,” it was a good motion then. It is a good motion now.

I am going to support the member's motion, even though I just wish she had been awake and alert on this subject a few years ago when she could have influenced

the member for St Catharines, maybe. No one else did, but she might have been able to, with her marvellous charm. So now we look at the Minister of the Environment. Let's not forget this is the most powerful person second to the Premier and the Speaker in the province of Ontario. When you start realizing that she has already gone out and said to the bottling companies, "Here is what you are going to do. You are a symbol of what I am going to do to you," and she is doing it. If they do not implement a strategy by reducing the amount of cans, etc by 30% in a short period of time, heavy fines will be levied.

I think the industry in the province of Ontario is worried when the minister suddenly wakes up and realizes that her strategy of the 3Rs is not working and she is going to have to come along and force people to start following these new guidelines. So it worries me that this minister who has had plenty of opportunity to come forward with her agenda has not done so.

Anyway, we have an interesting motion before us. One of the things that slipped out in this motion, and if you read it carefully, one of the things that the member for Eglinton has said is, "and since legislation had been drafted for presentation to this Legislature in the fall of 1990." I want to just repeat that: "legislation had been drafted." That would have been drafted by the Liberals prior to the election call for 6 September. That means when the Liberals had that legislation drafted, when they came out with this discussion paper, Towards a Sustainable Waste Management System, asking for all kinds of ideas up to 31 October, they already had the legislation written. Then they come along and say, "We want to have some dialogue with everybody, so we put out a discussion paper," and the discussion paper involves this whole business of packaging as well, to some extent, and they had the legislation written.

How inconsistent, how inconsiderate. Is it any wonder that politicians have a bad name in the province of Ontario, when on the one hand they are saying, "We want to have dialogue, we want to participate," and then they have legislation drafted and at the same time they have a draft report for discussion.

It is not pleasant, and this new government, unless it wakes up, is going to fall into the same trap of speaking out of both sides of their mouths rather than dealing concretely, objectively and honestly with the issue and coming forward with some resolution to the problems that are really bothering the people of the province of Ontario.

We do have a crisis. The minister has finally acknowledged it. We have a bigger crisis that the minister is not coming forward with any of the guidelines or any of the ways in which we are going to implement the 3R strategy. It is really going to be a problem for us, because we have no sense of how much landfill space is going to be saved by the 3R process that the minister has brought in.

I will tell the members that by 1993, three years from now, we are going to be in the middle of it, unless we begin to put some tightness around the issue. I support the protocols here of reducing the amount of waste by 20%, 35% and up to 50% by the year 2000. All these are worth while, but we have got to have leadership, not only from

all of us in the Legislature through a fine motion like this, but through the minister who is going to say, "Here is how we are going to do it," and a minister who is going to give the kind of leadership that the province is looking for.

She had it when she was in opposition. I venture to say that there is not a person who does not begin to believe now that she is a different person now that she is minister. She is not grabbing hold of these issues. She is not coming forward with the strong initiatives that she is capable of doing to help us achieve success in handling the environmental crisis of this world of ours.

It is a world problem. It starts with each one of us who can come along and say: "Hey, that packaging that I've got"—something is wrapped in it; don't buy the product or leave the packaging at the Canadian Tire, or some other store. Do not get caught in the thing where you are buying those products. Let's see that those who are selling those products that are overpackaged—we are paying for it—let's not buy some of those things, and look for the bulk items where you do not have it.

1120

I would love to go into it. We are short of time. I want to let the honourable member behind me make some points. The popcorn idea is good, but the people who are wrapping the things in popcorn now have to cover everything with plastic so that the oils and so on do not get into it. So you solve one problem but you create another problem. That is the delicate balance we have with environmental issues. There is not one easy answer to it all. We should get a composite picture, where the government, where business, where members of the Legislature, every one of us, buy into it and help with it, help the Packaging Association of Canada. Let everybody sort of do his thing. Sing from the same hymn book. Let's get on with it.

These words today are fine. They are a little late from the member for Eglinton. I am going to support them. I think she is sincere in what she is trying to do, but I just wish she had been about three or four years earlier when she could have done something about it. She did not then. It is good to see her join the club now.

Ms Churley: I am very excited and absolutely elated that this motion for first reading is before us this morning. I am very pleased that it came so quickly in our sittings because, of course, this fits in perfectly with what we are doing at the Ministry of the Environment right now. I am really glad to see that the members of the Liberal and Conservative caucuses are finally putting reduction before recycling in the scheme of the 3Rs. May I add that we are going to do what they refused to do, and that is regulate? That is what I call the fourth R. We are going to do that.

The members from the past Liberal government had ample opportunity to go ahead and regulate packaging. I am really pleased to see, now that the New Democrats are in government, that both other parties are on side and are finally willing to put reduction ahead of recycling and get on with it.

It is also an important piece of legislation for me. I would like to move on it quickly. It is something that I was very concerned with at the city of Toronto. As I mentioned

in a previous speech, I moved the motion, which got support at city council, that we ask for enabling legislation to allow the city of Toronto to go ahead with certain anti-packaging bylaws. I realized, when I had made that motion, that it is a piecemeal approach to do it municipality by municipality. But we were frustrated at the time with the Liberal government for not moving on it, while we were, at the same time, feeling the pressure of trying to figure out how we were going to deal with this awful waste management crisis. I am very pleased that now that I am here in government the motion I made in city council should become redundant because the province will be moving on this.

It fits in very well our plan for the waste reduction office that we will be setting up. We will be focusing very, very much on the 3Rs. While on one hand we are looking for a landfill, we are taking away the whole focus on landfill as the way out of the crisis. I would just like to say that in the past—this is a nice change to see—the whole focus was on landfill and disposal as opposed to a different way of looking at our garbage. This is going in the right direction. What was done in the past was to say, “We have a crisis and we need landfill, and you the community over here are going to have to put up with dealing with this crisis or taking the crisis on your back by not going through a full environmental assessment process, whether a dump is in your community or not,” but not saying at the same time to industry that, “You are also going to have to be part of this crisis in helping solve the problem; you are going to have to be regulated in terms of the packaging you’re producing.”

What was said and, in fact, was said at the national protocol as well, is that, “We’re going to give you all the time in the world to consult and talk about this and then we’re going to allow you to take your time and volunteer to try to meet those targets, and maybe then, if you haven’t met them, we’ll talk about regulating.” That is the wrong approach to this.

I am very pleased to see that two members from the opposition have, as individuals, stated that when we come forward with—I believe, in fact, that that is what they are saying—our tough stand on packaging regulations we are going to all work together to reduce the amount of packaging in this province. I am very pleased to see that that is the attitude that we all have in this House right now on reducing packaging: a co-operative effort.

One of the things that I did shortly after my election was talk to the member for Beaches-Woodbine about the greening of the Legislature in terms of packaging, and I received in my office—and I am sure other people do at times too, just in terms of the stock for their offices—Scotch tape wrapped up in Saran Wrap or plastic of some sort. I asked why we here at the government are receiving things like Scotch tape wrapped up in plastic, and it appears as though the problem is that factories that are producing things like plastic and other items get orders from all kinds of different places.

If we, as the government, were to say to them, “We don’t want our Scotch tape wrapped up in plastic any more; we would like ours to just come without wrapping,”

that would cost the plant more money to produce. They would then have to produce the Scotch tape for everybody else in plastic and for us out of the plastic, so they would have to set up essentially a whole different process. It seems to me very simple that we get together with hospitals, with other levels of government, with all kinds of other people who are ordering from this particular factory and say, all of us, “We don’t need our Scotch tape wrapped up in plastic.”

I was very pleased also to see that all three parties are interested in proceeding with the so-called greening of the Legislature. I think this is a very good place to begin. We can start looking at what kinds of items we are getting here that are unnecessarily packaged and just start the procedure, making it very clear that we, as a government, do not want to receive these kinds of items all wrapped up.

One of the most interesting situations that I was in in terms of excessive packaging was that one day I went into a bank downtown and handed in my deposit slip and asked for \$100, and the cashier handed me that \$100 all wrapped up in plastic. It is true; I was just astounded. I immediately, of course, took the plastic off and put the money in my wallet because obviously I am not going to walk around with my money wrapped up in plastic.

I asked her why the money was wrapped up in plastic, and she said it was because it was decided that it was faster for them to be able to give out money that is all wrapped up, all packaged nicely, and she can just reach in and know that there is \$100 in there so she did not have to count it in front of me. Of course, I ripped off the plastic to count it in front of her to make sure I had the right amount of money. So it does not really work.

1130

I think that is an extreme example of excessive packaging. It is in the same vein as going into the grocery store and picking up a coconut, of all things, and I am sure everybody in here has experienced this: a coconut wrapped up in plastic. So clearly it is a very complicated issue in that the packaging industry is forever finding new ways to create packaging and ultimately we have these ridiculous situations.

Industry is aware of the fact that this government is moving and will be regulating. I can say categorically that that is the direction in which this government is moving. We are very pleased to see this motion before us today. I think it is a very good motion to examine and see how it does fit in with the kinds of targets in regulations that we will be making in the very near future. I am very pleased to see the co-operation and the support of the members opposite in moving forward in this very important step in solving the garbage crisis.

Mrs Sullivan: I want to begin by congratulating the member for Eglinton for bringing forward what I think is a very useful resolution to the House and one that I think can provide a base for action by the Minister of the Environment in terms of an action plan. I think it is quite clear that the majority of people in Ontario are very concerned about the state of our environment. One area that has assumed a great deal of prominence, of course, is garbage and waste

management. Generally across the country Canadians are sensitized to waste management issues. It is something that they are familiar with; it is something they deal with every day.

In Ontario, we have seen very much an indication of the concern through the participation in the voluntary blue box program and demands for an enhancement of recycling. Certainly people have indicated that they can play a part and they are willing to play a part in those recycling efforts. Some two million households now are involved in 50% of Ontario communities. Our feeling on this side of the House is that mandatory recycling should be a matter of course in the province and we are looking forward to the Minister of the Environment moving in that area. That was certainly promised in the New Democratic Party green plan and we have not seen any action on that to date.

I think Canadians and Ontarians understand that not only are we running out of room for disposal of waste but they must also as a society confront the dangers and the risks associated with the waste. They understand as well that there are both social and economic costs associated with the production of waste. Nowhere is that more evident than in excess packaging. Any excessive packaging represents a loss of natural resources, it increases our expenditures in manufacturing and it increases our societal expenditures as well when materials are not fully utilized.

The Recycling Council of Ontario estimates that packaging makes up about 50% of municipal garbage by volume and about 30% by weight. The trend in the recent past has in fact been not to a decrease in the production of packaging waste but to an increase, and indeed what is more frightening is an increase in the rate of the increase. We know that packaging is necessary for health, for safe transportation of goods, for security and indeed that there will always necessarily be an element of packaging included in the goods and products that we buy.

Lévesque, Beaubien, which is a Canadian investment firm, did a report in 1985 which was one of the first analyses on a national basis of packaging that is produced in Canada, indicating that the food and beverage industries are responsible for about 60% of all packaging, followed by the chemical industry at about 13%, the paper industry at 6% and the tobacco industry at 3%. The breakdown of total Canadian packaging use gives an 18.5% share to corrugated boxes, 16% to metal cans, 14% to folding and setup boxes, 9% to glass, 7% to plastics and the remainder to a variety of other package types. Plastics, which of course are creating a different kind of disposal problem, are becoming an increasing part of the cycle as well.

The member for Eglinton has put forward a resolution which supports stronger provincial action and proposes that Ontario put into place, at minimum, the protocols which were developed through the national packaging protocol, which was initiated by the Canadian Council of Resource and Environment Ministers. I think that in doing that, the member has recognized that a strong base of national standards is very important in dealing with the packaging issues, not only in Ontario but across the country.

A patchwork of different and inconsistent regulations does in fact create impediments to international and inter-

provincial trade, and I think that that is something that we should recognize. They also deny manufacturers efficiencies of scale, and therefore increase their costs and hence decrease their competitiveness.

Additionally, changes and alterations in packaging requirements from province to province create confusion for both the manufacturing and distribution sector, and indeed for importers of goods. As well, I should add, if you have tough regulations in one area and an absence in another area, what we may see is an encouragement of operations which move to the less onerous jurisdictions to get around the national requirements.

I think we have to also recall that federal law now enables the national government to implement consumer and health protection requirements that are very much a matter of importance to every one of us. I say those things because I believe that it is important to use the national packaging protocol as a base for anything that we do in Ontario—perhaps expand from there, but it is very clear that we cannot work outside of a national system.

That is not to say, however, that Ontario cannot continue to take the lead. Certainly we have seen the example of local jurisdictions taking the lead in areas like California, and we could well emulate those models.

I think that there are many things that can be done here. The member for Eglinton has mentioned some; other members have spoken of others. The minister has talked about the phase-out of containers and packaging for which there are waste reduction alternatives and there are other alternatives, as well—product bans from landfill, taxation and deposits on materials which do not meet minimum standards, and a surcharge vis-à-vis performance in the marketplace. Reuse requirements can be altered, whether it is beverage containers or corrugated containers, crates, or wooden pallets. I should say that crates and wooden pallets now occupy about 13% of the packaging waste that is going to landfill.

I do not believe recycling efforts ought to be out of the waste management alternatives and I believe that the recycling efforts that have taken place over the past five years have indeed helped and encouraged the work that we have been doing in environmental issues throughout Canada.

I would like to stress to members that I believe that we need more research and development work in this entire area. So much of the information that we have about the characteristics and quantities of our solid waste are in fact extrapolations from United States experience, rather than based on our own technical database. I think that some of those strategies that we are developing over both the short and the longer term must indeed be based on an experience of our situation here and based on the particular composition of our own waste stream.

As well, we need additional research into areas of the use and application of packaging materials which have been produced and of technological and technical options for the management of that packaging.

I am going to conclude now. I applaud the member for Eglinton for bringing forward this resolution. I urge all members in the House to support it.

1140

Mr Turnbull: I would like to compliment the member for Eglinton on this piece of legislation, which we certainly are very happy to support.

I was going to open my comments with saying I think we should depoliticize the whole process of the environment. I do indeed believe that and in fact I was quoted on the night of the election as saying that. I would just particularly say to the member for Riverdale that her remarks suggested that somehow we have found a faith. We have not just found a faith. It was in fact the Conservative Party in Ontario that established, as far as I know, the first ministry of the environment of any province in Canada, including an NDP province. We are extremely concerned about this issue and we must address it urgently.

The need for legislation is overpowering. We know that Canadians are producing the most waste per capita in the world. This is a situation we cannot allow ourselves any further. Perhaps we have been lulled into the sense of security that we have such a huge land and ultimately there were always the schemes, "Well, we'll tow it up north and shove it down a mineshaft."

We must reduce the amount of packaging. There are so many concerns. It affects global warming and all other aspects of our life. Instead of our simply tagging along with the rest of the world, let us lead the world. There is a real need for this, and probably the best way of achieving this is by all parties joining hands, as we are doing today in supporting this motion, and saying, "Yes, we agree with this, it's a good first step." But let's hurry with the next step and the next step. It is something where I truly believe the electorate is further ahead than most politicians in its view as to what should happen.

With a little bit of a political bias, I have to say I was very disappointed with the previous Liberal government when it abandoned the 30% quota on refillable 750-millilitre bottles. But I am sure they have found the light now and we will certainly help them to keep the light.

Interjections.

Mr Turnbull: I am told that I should be consistent. I am simply pointing out the fact that when parties get elected to government, then suddenly it is very easy to forget the promises we have made. We must make sure that nobody forgets the promises that they have made, because I think every party made promises in the last election with respect to the environment. Let's make sure that we completely depoliticize that.

We made certain recommendations in the last election and I would just like to read some of them. We wanted to bring in a strategy which would introduce legislation to limit packaging-to-product ratios, and this is a good first step; prohibit environmentally irresponsible materials where alternatives exist; establish a consumer hotline; establish an education campaign and set reduction targets for solid waste entering municipal disposal systems.

Let's do this urgently. This bill is very good as a first step. Let's make sure that we move to the next step as expeditiously as possible.

Mr Sutherland: Cheese slices are a perfect example of the problem that is being highlighted by this bill. Here you have a very good natural product, cheese, that everyone enjoys. I, coming from what, as I have stated before, is supposed to be the dairy capital of Canada, know very well about cheese and dairy products. But it is a prime example of the problems we face with excess packaging. Not only are all the slices individually wrapped, but the advertising promotes that as part of the way of selling it, that you can get your cheese slices individually wrapped.

The honourable member for Riverdale talked about grocery stores and the problems associated with them. I worked in a grocery store for seven years and know very well some of the problems of excess packaging.

What about drinking boxes? Here is another prime example. Everyone has to have his or her juice in these convenient little boxes and they come to you in threes, and not only is each individual box wrapped with extra plastic, but all three of them combined are also wrapped in plastic, clearly another prime example of how a good natural product such as juice is being in some ways perverted by excess packaging and causing harmful environmental effects.

I think there are lots of other areas. I know sometimes when you go into deli departments of grocery stores or other things and they are cutting your meat, each individual slice gets a separate little piece of wax paper put in between it. Do we really need that? Is our society that fast? Do we have such a strong demand for convenience and making life that easy that we have to have drinking boxes, that we have to have individually wrapped cheese slices, that we have to have these other things, that we have to have our coconuts wrapped in plastic? Clearly we do not need that, and if we are going to come to terms with the realities that we are all facing in trying to deal with the garbage issues, in trying to deal with what is helping our environment, then we must all become very smart consumers.

I am not here to lecture people, to say that I am some saint on this issue, because I as much as anyone else have been a victim of this. I bought cheese slices for many, many years. I no longer buy cheese slices because they are individually wrapped and there is too much waste product with it. I buy my cheese in bulk and I want to encourage all members to keep buying cheese, and particularly to buy Ingersoll cheese, because it is very good and it is produced right in my riding and the people who work there would be greatly appreciative if members did that.

I want to talk about another example. The member for Riverdale talked about issues within the Legislature. I cannot tell members how pleased I am to see that in the legislative dining room we no longer get our butter in a packaged form. We get it now on a plate and it is not excess packaging to go in the garbage. That may not seem like a significant step, but I do think it is an important one. Also, my fellow member for Dovercourt has pointed out that we do not have individual packages of sugar any more. They put it in a nice china dish and do it there.

These are all little things, but each of us in our everyday lives must make a constant effort to deal with these issues, to make sure that we are being smart consumers, that we are not supporting products that have excess packaging.

In conclusion, I want to remind everybody: cheese slices, drinking boxes, butter, sugar. Remember when you shop to shop effectively and shop for the environment so we do not have a problem with excess packaging.

Mr McClelland: It is a pleasure to participate in this part of the resolution put forward by the member for Eglinton. The member for Markham is busy in the lobby at the present time, and I do wish he were here, because I would like to comment very briefly on some of the things he drew to the attention of the members of the House.

He indicated that the member for Eglinton had suddenly, at a recent date, been inspired to bring this forward. I want to put on the record that the member for Eglinton had drafted this resolution, and members opposite would certainly know that in terms of the lottery process where we work down depending on the time frame available, quite frankly she just did not have the opportunity to get it on. I think it is important that we know that.

With respect to some references made by the member for Riverdale of what the government refused to do, I just want to put a little bit of chronology on to this whole issue in terms of packaging and what happened.

To the member for Riverdale I will say I had the opportunity of serving in the capacity that she does, as parliamentary assistant to the former Minister of the Environment, and I recall in the spring of 1989 being asked by the then minister to make an announcement contained in a speech with respect to packaging and waste management.

Bear in mind that it has been so ably said by other people speaking here that we live in a very, very wasteful society. I am a pretty simple person, and concepts of tons and so on do not really help me a great deal; I cannot fathom that. Talking to high school students I try and put it in perspective and say that in Ontario we as a society produce enough garbage from our households that we could put bumper-to-bumper garbage trucks from Windsor to Whitehorse and back again. It gives you an idea of the magnitude of the amount of waste that we are producing. In fact, each of us produces approximately 16 times our own weight in waste in this province.

But waste management is also an opportunity for innovation and involvement in the business and industrial sector in a way that I believe is unprecedented. I believe Ontario has an opportunity to be a leading jurisdiction internationally in terms of what we could do with good waste management, and packaging is certainly an essential part of that.

1150

But getting back to the chronology, when I served as his parliamentary assistant the member for St Catharines, the former minister, undertook a series of consultations. We talk about the way that these things take place. The reality is, I say to the member for Markham, that what you

do in consultation is at some point in time you produce draft legislation. The operative word is "draft." You ask people to comment on it; you ask them to refine it; you ask them to work with you.

The former government met separately with a variety of groups in terms of a packaging protocol, met with grocery distributors, retailers and the packaging industry, with a view to having their partnership and involvement in this together and opportunity to work effectively with them to create something perhaps comparable to Ontario Multi-Material Recycling Inc, which has been very, very successful in the soft drink industry working with a packaging protocol.

It was also very clearly stated by the former Minister of the Environment that we, as the former government, were prepared to impose regulations that would ensure the participation of all relevant industries and to make sure that they took the responsibility of the environmental fate of their products.

I wanted to get that on the record because I think it is important in light of some of the comments that were made by the member for Markham and the member for Riverdale. This is not something that has a time frame that is restricted to governments. It has a life of its own, it is a process that is ongoing, and regardless of what takes place, I would suggest to the members of this House, whatever legislation is forthcoming pursuant to this resolution that is apparently going to be supported by all three parties, the job will not have been done. It is a type of situation that we will continue to move towards improving and do a better job with.

I also want to say in terms of that chronology that shortly after the former minister made his announcements in the spring of 1989, he then met with the Minister of the Environment in Quebec one week later. A week after that he met all environmental ministers from every jurisdiction in Canada, and the product of that was the packaging protocol.

So a tremendous amount of work has been done. Sectors of industry and the packaging industry—as I mentioned, grocery, food distributors, retailers—have been involved in a significant way.

Ontario and Quebec were prepared to commit to that goal, but we looked for a national standard. It has not come, apparently, and I think it is time to move ahead.

We have stated very clearly a time frame of the fall of 1990. Its time has come. Consistency, uniformity, objective policies and standards on a national level would be preferable. That was being worked towards. It has not come to fruition. A tremendous amount of work has been done. The groundwork has been laid, as evidenced by the resolution put forward by the member for Eglinton. It is time to move forward and deal with this appropriately with regulations that are ready to go. I am enthused and pleased to hear that we will be getting support from all parties and I congratulate again the member for Eglinton for the fine work and leadership which she has shown in this important matter.

Mr O'Connor: It is indeed an honour to speak on such a special motion. It does have a lot of meaning to all

of us here today as members of this society that we live in, and it is a problem that can be related back to any riding in this province. It probably would be hard to avoid an environmental group being found and coming to speak if you were not to support this, because there are environmental groups in every riding and they are very concerned and they realize that as consumers we are the main offenders in this problem, which has created this crisis that the greater Toronto area has to face right now of landfill.

If we can start working towards reduction as part of the key to the 3Rs, then we could start looking at something different. We have got a lot of groups out there that have a lot of good ideas and we need their input, groups such as STORM, SAGA and TNT; they are all over the place. But the real key is reduction. We have to go back to being the conservator society that we used to be.

Ballpoint pens are something that is new to this era of our waste. There were fountain pens for years, and they were sloppy and they were messy. They improved them, but now we have got ballpoint pens. There are so many different things that we could look at that are a matter of convenience and now we have to start thinking about being conservers instead of being consumers of this wasteful society.

I applaud the member for Eglinton on this motion and I am sure the minister will take this into very serious consideration.

Ms Poole: I would first like to thank all the members of the House for their support for this resolution today. I do not think we should doubt anybody's commitment to the environment, but it is time that we put some of those deeply held beliefs into action.

I very much agreed with the member for Riverdale when she was talking about the fact that all of us have to work together and it has to be a co-operative approach. It is very difficult, because this is a very partisan place, but I do not think it serves anybody's purpose if I as a Liberal criticize the Tories who went before us or if those who go after us criticize us for not going far enough. We will never go far enough. I am the first to admit that there were times when we as Liberals did not go far enough. The day that we do is probably the day we can all retire as legislators because our job will have been done. There is a lot more to do.

I do not see it as a very useful exercise to say that the new government is not committed to the environment. First of all, I do believe it is committed. Certainly our new Minister of the Environment will continue the excellent work of her predecessor, the member for St Catharines, on many issues.

I would like to clarify one point, about the timing of my resolution. I was fortunate enough in the last three years to finally get my private member's hour in on the last day of the session. I waited three years. I tabled my resolution on the environment, and lo and behold they cancelled private members' hour that day to get through the government business. So I am trying one more time, and hopefully this time we can get this resolution through.

I would say that the previous minister, the member for St Catharines, was very concerned. I talked to him many times about this issue, but he thought it had to be a national solution. He was taking the lead at the table for Ontario and he was saying, "We have to have it across this country." Now I am glad that we as members of the Legislative Assembly have a chance to work together to make these words on paper a reality. I thank the members for their support.

The Speaker: The time allotted for consideration of private members' public business has expired. We will deal first with ballot item 1.

DEAF PERSONS' RIGHTS ACT, 1990

The Speaker: Mr Abel has moved second reading of Bill 22.

Motion agreed to.

The Speaker: Under the standing orders, the bill is automatically referred to the committee of the whole House. Is that agreed to?

Mr Jackson: I respectfully request that the bill be referred to the standing committee on social development so that we can continue work on this bill.

The Speaker: We require a majority. Those in favour of the bill being referred to the standing committee on social development must rise and remain standing until counted.

An hon member: Standing in your places.

The Speaker: In your place.

It is unanimous. You may be seated.

Interjections.

The Speaker: Some of us, including the Speaker, are a little slow to respond this morning.

So ordered to the social development committee.

Bill ordered for the standing committee on social development.

1206

PACKAGING WASTE REDUCTION

The House divided on Ms Poole's resolution, which was agreed to on the following vote:

Ayes—63

Abel, Arnott, Bisson, Bradley, Callahan, Caplan, Carr, Christopherson, Churley, Conway, Cooper, Coppen, Cousens, Cunningham, Curling, Drainville, Duignan, Grier, Harnick, Haslam, Hope, Jackson, Jordan, Kwinter, Lessard, Malkowski, Mammoliti, Marchese, Martin, Mathysen, McClelland, McLean, Mills, Morin, Morrow, Murdoch, B., O'Connor, Offer, O'Neil, H., Owens, Peruzza, Philip, E., Poole, Rizzo, Ruprecht, Scott, Silipo, Sterling, Stockwell, Sullivan, Sutherland, Tilson, Turnbull, Ward, M., Waters, White, Wilson, G., Wilson, J., Winninger, Wiseman, Witmer, Wood, Ziemba.

Nays—0

The House recessed at 1209.

AFTERNOON SITTING

The House resumed at 1330.

MEMBERS' STATEMENTS

RÉFORME CONSTITUTIONNELLE
CONSTITUTIONAL REFORM

M. Grandmaître : Les francophones de l'Ontario ont bien des raisons de s'inquiéter de leur avenir et il a fallu qu'ils se rendent dans une autre province pour le dire.

Hier, les Franco-Ontariens et les Franco-Ontariennes, encore sous le choc des coupures massives à Radio-Canada, sont allés dire devant la commission Bélanger-Campeau qu'ils s'inquiétaient des conséquences qu'aurait une éventuelle séparation du Québec sur leur vie.

En passant, la Coalition pour la télévision française en Ontario s'est présentée ce midi pour nous livrer un message très clair.

Les francophones de l'Ontario ont grandement à cœur l'avenir de leur pays. Ils ont aussi, comme on a pu encore une fois le constater hier, des solutions à proposer, des éléments de la stratégie constitutionnelle de l'Ontario à suggérer. Quand les francophones de l'Ontario auront-ils la chance de faire part aux francophones de leurs vues sur l'avenir de leur pays chez eux ? Quand le gouvernement créera-t-il sa propre commission sur l'avenir du Canada ?

Ed Broadbent, the former leader of the federal wing of the New Democratic Party, has been quoted as saying that time is running out for English Canada to recognize Quebec's rights to unique constitutional powers. Mr Broadbent recognizes the urgency of the problem.

When is the Premier of Ontario going to recognize the urgency of the problem and outline his constitutional plans in the Legislature? When is the Premier of Ontario going to consult with the people of Ontario? It is unacceptable for members of this House to have to read about the Premier's views in the news media when he refuses to discuss the matter in this House.

DEER POPULATION

Mr McLean: My statement is for the Minister of Natural Resources. It is my understanding that Environment Canada plans to have six staff members shoot 120 deer in Point Pelee National Park because the deer are supposedly destroying rare plants in the park.

I believe that the use of six tax-paid staff to eliminate 120 deer is ridiculous when members of the public would enjoy an opportunity to hunt in a part of the province where they currently cannot. As well, the park staff have no plans to deal with the thousands of pounds of meat which would be created by the hunt. The minister is no doubt aware that park staff cannot distribute or sell the meat under Ontario regulations.

This planned hunt will serve no one. Instead of providing an opportunity for hunters, thereby creating local economic benefits, Environment Canada promises to create a no-win situation. The park will have to devote tax-paid staff to kill the deer and bring in outside help. It is my

understanding that much the same situation exists in Lanark county.

The minister should urge Environment Canada to expel and cancel the plans for six park staff to shoot the 120 deer, and instead he should press for a controlled hunt by the public to effectively reduce the herd and save the fragile environment and leave the job to skilled hunters who will put the meat to good use.

PORT COLBORNE HIGH SCHOOL STUDENTS

Mr Wiseman: I am rising on behalf of the party whip today to welcome the Port Colborne High School students who are here. I am the MPP for the riding of Durham West, and it is my pleasure to welcome you here today to this sitting of the first session of the 35th Parliament of the province of Ontario.

I would suspect that for most of you this visit marks your first time at Queen's Park and I am certain that you will find your time here both interesting and informative.

The member for Niagara South has informed me that a good many of you are participants in the Leadership Project, a program conducted by the John Howard Society of Niagara, which strives to help teens to choose a responsible lifestyle free of drug and alcohol abuse.

As participants in the Leadership Project, you should be commended for your efforts to improve the quality of life in your community, and this House would like to congratulate you. In many ways, your efforts and those of the elected members of government who sit each day in the Legislative Assembly are quite similar. Although different in method, we are both attempting to bring about change and address society's ills.

As many of you may already know, the member for Niagara South was elected for the New Democratic Party and she sits as the party whip. She would like to welcome you here today and wishes that you all have a wonderful afternoon and hopes that she can help you in the future.

INTERNATIONAL TRADE

Mr Kwinter: I rise in this House today to speak about an issue that is crucial to Ontario's supply management system, and specifically our dairy industry. Last week, the Minister of Agriculture and Food and the Minister of Industry, Trade and Technology flew to Brussels with their cronies, stayed in the finest hotels and enjoyed the finest of European cuisine. They were there under the pretence of representing Ontario's interests at the current GATT talks. They returned to this House so well fed and so well rested that they were numb to the concerns of our threatened dairy industry.

This set of talks was crucial to the future of Ontario's dairy industry. Just over one year ago, a GATT council, the body that governs world trade, accepted an American complaint and ruled that Canada, and specifically Ontario, was unfairly blocking imports of American and European yoghurt. Implementation of this ruling could mean the dismantling of our supply management system for milk products, as the doors will be thrown open to a flood of

cheap, subsidized American and European dairy products. This could be the end of the competitiveness of Ontario's dairy industry.

On 11 December in this House, the Minister of Industry, Trade and Technology betrayed his lack of understanding of this issue. The minister said, and I quote Hansard, "Ontario was well satisfied with the circumstances that related to article XI at the recent GATT talks." He also said, "We were successful in having article XI maintained."

Reports in the financial media of today indicate that not only were they not successful, but they were not even discussed. The federal—

The Speaker: Member for Wilson Heights, would you take your seat, please? The member for Wilson Heights may wish to consult with some of his colleagues and he will no doubt be informed that allowance was provided beyond the minute and a half. I would ask the member in future to really carefully consider the time allocation.

TVONTARIO

Mrs Marland: I recently received from TVOntario's chairman and chief executive officer a glossy, multi-coloured and expensive-looking book called Stay Tuned for the Future, which celebrates TVOntario's 20th anniversary.

Along with several other members in this Legislature, I recently took part in TVOntario's public membership campaign. We are proud of the outstanding work done by Ontario's public educational TV network and we are grateful to the people of this province who have pledged their support for TVOntario. On behalf of my colleagues, our sincere congratulations to TVOntario on its 20th anniversary. May the next 20 years build upon the successes of its first two decades.

However, when individuals, businesses and governments everywhere are struggling to make fewer dollars go farther, one has to wonder if the money spent on the Stay Tuned for the Future publication would have been better used to develop or acquire more of the excellent programs for which TVOntario is known. I hope this book's reference to a contribution from Telesat Canada and its list of corporate funders means the amount of money spent by TVOntario to produce this book was minimal. I am placing a question in Orders and Notices to clarify that matter.

Despite being impressed by this book's beautiful artwork and the eloquent text, I am concerned that it does not appear to have been printed on recycled paper. Again, an order paper question should provide the answer. It is a lot of money, and I really would rather have seen it in TV programming.

1340

SENIOR CITIZENS' FACILITY

Mr B. Ward: I rise to bring to the attention of this House a ceremony I recently attended with the honourable Leader of the Opposition, that being the rededication of one of our seniors' homes in the city of Brantford that is jointly owned by the county and the city.

This renovation project cost approximately \$14 million and a number of innovations were brought into the concept which I think can be used as an example for other communities to follow, one of which is a controlled climate in each individual room rather than a central control area.

What is also unique about this project is that it involved MPPs from all three parties. It originally started with Phil Gillies under the Progressive Conservative government, it continued under Dave Neumann under the Liberal regime and finally myself under the new NDP government.

I am pleased to rise to announce that it was through this commitment from all three parties that are dedicated to improving the quality of our seniors that this project managed to be completed to fruition. I look forward to having the seniors of Brantford-Brant county enjoying these fine premises.

RAIL SERVICES

Mr Mancini: Last night I was invited to attend a public meeting in the community of Ashburn. The meeting was called by the Toronto-Peterborough/Havelock Line Rail Passenger Association.

The purpose of the meeting was to discuss the NDP promise made during the last election campaign. The Premier stated in writing, and I quote, "I am pleased to make a commitment to extend GO Transit service to Peterborough and Brantford." As we all know now, this is another broken NDP promise.

All seven MPPs from the affected region were also invited to last night's meeting. All seven ridings are represented by NDP members. The following is a list of the members who did not attend the meeting, and I repeat, did not attend the meeting: the member for Durham East, the member for Durham Centre, the member for Durham West, the member for Durham-York, the member for Peterborough, the member for Hastings-Peterborough and the member for Victoria-Haliburton.

Seven out of seven of the NDP members who represent the region did not go to the public meeting. The people who were at the meeting told me to bring the following message to the Legislature, and on their behalf I quote. They said they will have a long memory of last night's meeting.

Hon Mrs Coppen: On a point of privilege, Mr Speaker: As the chief government whip, the members who were just listed were all in attendance at this House last night because one of their first priorities is to this government of Ontario. They sent condolences.

The Speaker: I am sure we all appreciate the point of information.

HIGHWAY SAFETY

Mr Cousens: The problems around the greater Toronto area do not just seem to be with attendance of the government members. The people in the province, especially around the greater Toronto area, are suffering post-commuting shock. Post-commuting shock is when you get on a highway and have to go from point A to point B and by the time you get there it has taken you two to three

times longer than it should have and you are just exhausted from all the strain and stress of traffic, because of all the problems that we are beginning to see happening.

We get a few little dribbles of white flakes of snow and it seems that everything grinds to a halt, at least around the greater Toronto area and the other great cities of our province. We have to begin to take very seriously the needs of the drivers on our roads. We need to have Highway 407, for example, built as quickly as possible to get around Highway 401 so that people have a way of getting around the stressful problems of Toronto.

I think we also need to see a comprehensive program from the Minister of Transportation. It has not yet come. We want to see something more than what he has begun to do for commuters. We have to see something on the road with better supervision of the roads, not just the Reduce Impaired Driving Everywhere program, but to get rid of the bad drivers, to get rid of the poorer cars. Let's start making the roads safe so that people can get to where they want to go on time.

GOOD NEIGHBOURS AWARDS

Mr Duignan: It gives me great pleasure today to rise in this House and offer praise to the thousands of volunteers across Ontario who have participated in the Good Neighbours program. In particular I would like to congratulate the hundreds of volunteers in the Halton region and in my riding of Halton North who have made the Good Neighbours program such a success. I am also proud of the fact that the Halton region was one of the first to launch the Good Neighbours program.

As members know, the Good Neighbours program is an initiative of the Office for Senior Citizens' Affairs and is designed to encourage individuals and communities to offer special kinds of services to meet the needs of the frail and disabled in their communities. For example, one of the towns in my riding, Georgetown, has set up a transportation service for individuals to meet important appointments.

I know it makes me feel good knowing that senior citizens and the disabled in my neighbourhood can call on a group of volunteers and be able to get assistance with yard work or shovelling snow in the winter, or just have a person to drop in for a chat.

On behalf of my constituents, I would like to say congratulations and thank you to all those volunteers who work together to make the Halton region and Halton North a friendly, welcoming and caring place to live.

VISITORS

The Speaker: Before continuing with our routine proceedings, all members of the House may wish to welcome today two former members, one of whom is seated in the members' gallery, the former member for Scarborough East, the Honourable Ed Fulton, and seated in the Speaker's gallery, a former Speaker of the House, the former member for Perth, retired Speaker Hugh Edighoffer.

STATEMENTS BY THE MINISTRY

ENVIRONMENTAL BILL OF RIGHTS

Hon Mrs Grier: The people of Ontario have made it clear many times and in many places that they want positive steps taken to preserve and protect the environment. This government responded to this call for action with a promise in the throne speech to bring in an environmental bill of rights which will provide people with an important tool to help them exercise greater control over the quality of the environment in their communities.

Members will recall that I and other members while in opposition brought various models for an environmental bill of rights to this House for debate as private members' bills on several occasions. The most recent was a bill I introduced at the last session. Each time, the basic principles expressed in these models enjoyed support from all parties during second reading, but never made further progress through the Legislature.

Today I am pleased and proud to inform the House about important first steps my ministry is taking to prepare an environmental bill of rights. The government's objective is to introduce an environmental bill of rights in this session. We believe it is important to gather the views of a variety of interest groups—environmental groups, municipal, industrial, health, business and labour organizations, first nations and legal advisers—before we sit down to craft the final bill.

I have established an advisory committee, the members of which represent that variety of interests. They have been asked to give us their best thinking on the basic principles an environmental bill of rights should contain and the options they see for turning those principles into workable realities for all the people of Ontario.

The principles the advisory committee and the public will be asked to comment on include: the public's right to a healthy environment; the enforcement of this right through improved access to the courts and/or tribunals, including the right to sue polluters; increased public participation in environmental decision-making; increased government responsibility and accountability for the environment, and finally, greater protection for employees who blow the whistle on polluting employers.

In developing this legislation, the advisory committee will also review legislation in other jurisdictions, such as the United States. But I have advised them not to be unduly influenced by what has gone before. What works in the US will not necessarily work in the context of Ontario's traditions and legal system. Instead, I have urged them to focus on basic principles in the context of Ontario's jurisprudence and environmental concerns. In this way we hope to receive the advice needed to write a made-in-Ontario bill that tackles our environmental problems and works for our people.

1350

An environmental bill of rights will have profound implications for the way we live, work and govern in Ontario. Its application involves several ministries and many separate provincial statutes. The Ministry of the Attorney General, in particular, will play an important role. My col-

league the Attorney General is working on questions, such as legal standing and class action suits, which will complement our proposed bill of rights.

There is no doubt that it will be a tough bill. An ailing planet and the health and continued prosperity of the people demand toughness. But the bill's true aim will be to encourage enlightened consensus rather than confrontation. It will be tough only for those who fail to appreciate the new imperatives of the age of ecological renewal and who persist in old polluting ways and attitudes. For others, it will support a new environmental ethic and inspire the mechanisms needed to develop creative partnerships between workers and employers, ratepayers and local politicians, citizens and their government.

The advisory committee will be chaired by Bonnie Wein, director of legal services for the Ministry of the Environment. I have assured the committee members that they will receive the full co-operation of the government and its ministries in their deliberations. We look forward to the astute advice it will surely provide to my ministry as we craft practical and forward-looking legislation. It will be legislation made in Ontario that will serve the people of Ontario, their communities and their shared natural environment now and in the future.

CONFIDENTIALITY OF MEDICAL RECORDS CONFIDENTIALITÉ DES DOSSIERS MÉDICAUX

Hon Mrs Gigantes: Later today I will table a bill to provide protection for the confidentiality of individual health card numbers.

Comme bon nombre de députés le savent, la nouvelle carte Santé, qui remplacera le numéro d'assurance-santé, entrera en vigueur le 1^{er} janvier 1991. Le gouvernement a l'intention de faire en sorte que la carte Santé ne soit utilisée que pour la prestation des soins de santé.

Permettez-moi de préciser, Monsieur le Président, que seuls les fournisseurs de soins de santé et le ministère de la Santé peuvent exiger qu'une personne présente sa carte et eux seuls peuvent l'utiliser à des fins administratives, de planification ou à toute autre fin touchant le domaine de la santé.

We also intend to protect the confidentiality of the information associated with the provision of health services. The abuse of the federal social insurance number since its inception is well known.

The legislation I will introduce today will prohibit individuals, businesses and organizations from requiring people to show their personal health card as a condition of providing goods or services. It will also prohibit the collection or use of a person's health number to obtain information for data banks, credit checking, mass mailing or the like.

The right to individual privacy and the confidentiality of health information is far more important than the convenience to business and other organizations of having yet another way to establish the identity of individuals.

Senior citizens' privilege cards have been used in Ontario for many years by people to qualify for the benefits of the Ontario drug benefit plan. This has also proven a convenient way for Ontario's senior citizens to establish

their eligibility for various discounts and special offers. Because the new individual health card is potentially a very powerful tool for collecting and using personal information about individuals, our government does not wish to support a pattern of use of the health card for purposes other than for its intended purpose, the delivery of health-related services.

Senior citizens will use their new Health 65 cards for all their health needs, including the Ontario drug benefit plan. We would also like to help senior citizens establish a method for conveniently identifying their eligibility for discounts and special offers without meeting requests for disclosure of their unique health identification number. To this end, we will be providing senior citizens with a special method to keep their names and numbers private.

The protection of the privacy rights of citizens demands the constant attention and care of government in an age of computers and information systems. This government will maintain vigilance on this issue on behalf of all Ontarians.

We have designed this legislation with the advice and guidance of a number of people, but I would like to single out two for special mention: the assistant commissioner of information and privacy, Ann Cavoukian, and professor David Flaherty of the University of Western Ontario. Both are advocates of privacy rights and provided valuable insights to my ministry as we framed the new legislation.

The Ministry of Health is committed to maintaining the confidentiality of health records. That is why we will also be introducing a wide-ranging health information privacy bill in the future.

AGRICULTURAL LAND

Hon Mr Cooke: Later today, I intend to introduce an amendment to the Planning Act, 1983. This amendment will prevent the division and conveyance of land by last will and testament.

The existing Planning Act does not mention the division and conveyance of land through wills, but the courts have ruled that lands may be subdivided under the provisions of a will without obtaining the usual planning approvals. Over the years, this has resulted in many cases where lots have been created by wills which would not have been approved if they had gone through the usual planning approval process. If this practice is not stopped, the resulting unplanned development will place a severe burden on municipal services and might result in residential developments eroding our valuable agricultural lands.

In some particularly troubling cases, third-party investors have approached elderly or terminally ill people with attractive offers. The investors sell land to these people with the agreement that they subdivide the land into a number of smaller lots through their wills. This land is then bequeathed back to the investors. The intent, of course, is to circumvent the Planning Act and to allow the development of such land without municipal or provincial approval.

Most recently, the regional municipality of Niagara has requested that the government take action to stop this practice.

In May of this year, the Premier, then Leader of the Opposition, raised this matter in the House and requested that this practice be prohibited. On 26 July of this year, my predecessor, the Honourable John Sweeney, announced his intention to amend the Planning Act to stop this practice. It was to be retroactive to 26 July 1990.

This afternoon, I shall introduce our amendment to the Planning Act so that this abuse of the planning process will be halted. It will be retroactive to 26 July 1990 so that the land use planning will again be applied fairly across Ontario.

RESPONSES

ENVIRONMENTAL BILL OF RIGHTS

Mrs Sullivan: I am responding to the statement of the Minister of the Environment. I believe that with her statement today she has lost any credibility she had left as an environmental advocate. What was good for her in opposition is clearly not good enough for her now that she is in government.

I want to backtrack for a second: Stuart Smith first introduced an environmental bill of rights in June 1981; the member for Bruce reintroduced a bill in April 1982; the member for Etobicoke-Lakeshore, Bill 13, November 1987; the member for Etobicoke-Lakeshore, Bill 12, 15 May 1989.

The Minister of the Environment constantly complained that the previous government had blocked her bill. Now she is in the seat and she has not introduced it.

I also want to say that in the Agenda for People, the pledge was made to pass the environmental bill of rights immediately. In the throne speech it was stated that the NDP will introduce the environmental bill of rights in this session. In a letter to environmental organizations signed by the Premier, the government pledges to enact an environmental bill of rights immediately. We have no bill. We have a consultative committee, consultation that could have taken place after a bill had been introduced in the House, in a standing committee, in public where people from the community and experts could have participated.

There is no bill. There is no action. It is a continuing example of freeze, moratorium, pause. As I said before, it is no damned plan.

1400

CONFIDENTIALITY OF MEDICAL RECORDS

Mr Phillips: In response to the statement by the Minister of Health, we were a little surprised in that I think what we had expected was what is in the last paragraph of the minister's statement, that is, a more comprehensive privacy bill. Certainly that was what the previous government had intended to introduce this fall, dealing with not only the health card but also with individuals' access to their medical files, to hospital files.

The minister has indicated that she will be introducing this shortly. My hope was that we would have seen the health card bill within that overall bill. Members will appreciate that we are going to be unable to deal with this bill before the House rises, so, as I say, I had hoped we could have had that more comprehensive bill.

My broader concern is that things are beginning to pile up in the ministry. We had hoped we could have the health professions legislation—it is not here; the northern health care plan—not here; the grants to the hospitals—not here; the community-based care—not here. Things are backing up. I would suspect that before we finish with this, we will be looking at the more comprehensive bill that would include the other important things the previous government had planned to implement this fall.

AGRICULTURAL LAND

Mrs Caplan: In response to the statement by the Minister of Municipal Affairs, this is a very important issue. He is quite correct that this was raised in the House last spring. I am very surprised that today, Thursday 13 December, we are seeing this legislation, which, as he knows, was ready to go and could have been introduced in this House on 22 November and could have been law by the end of this fall session. Certainly that was the intention of Mr Sweeney, whose bill it is.

My colleague the member for St Catharines has told me how important this is not only in the Niagara area where this is happening but also as a signal throughout this province that this practice is unacceptable. I am very disappointed that it took until 13 December to see this good piece of Liberal legislation tabled in this House. What has the minister been doing? Why have we not seen it before now?

Mr Bradley: In response to the Municipal Affairs minister's announcement today, it is indeed an important announcement to be made, and I was pleased that he has followed through on the commitment of Mr Sweeney, the previous minister, to do so. Those of us who have watched developments in the Niagara region over the last while have seen how people have attempted to utilize various legal mechanisms to overcome the regional official plan and other planning tools that are in place. Carol Alaimo and John Nicol of the St Catharines Standard did some extensive articles in the local newspaper on this issue, exposing the problems that exist.

The Legislature will be acting, I believe, expeditiously. The minister has indicated he wishes to see a quick passage of this bill. I would anticipate, looking carefully at it, that we would want to see this bill passed. I am pleased that he is going to retain the retroactive provision, making it retroactive to 26 July, so that those who have engaged in this activity—at least those who have been in the manipulation end of it—will not be able to benefit from it, and that the agricultural land in the Niagara region will be enhanced by this.

CONFIDENTIALITY OF MEDICAL RECORDS

Mr Harnick: I am pleased to hear that the government is going to introduce privacy legislation with regard to the health card. I know that the privacy commissioner, back in April, was urging the government of the day to introduce this legislation and to introduce it before the last session finished in June. They did not do that. I would like to commend the government on this initiative. I would also like to say that I hope the legislation which we see will be

very specific legislation prohibiting the use of the card for anything but very specified health services, and I trust we will be seeing that shortly.

AGRICULTURAL LAND

Mr B. Murdoch: I would like to respond to the Minister of Municipal Affairs on his amendment to the Planning Act with respect to wills. I think it is a good thing he has brought in. We, too, are concerned about saving good farm land, and municipalities have had problems with this in the past. The only thing I am concerned about is the retroactive clause in there. I do have some concerns about that, and I will be looking forward to hearing his amendment this afternoon.

ENVIRONMENTAL BILL OF RIGHTS

Mr Cousens: I am concerned that the principles which were so strongly enunciated and clearly spoken by the Minister of the Environment before election have changed so significantly now that she is in office. It would almost appear that their principles are bankrupt, especially if they are going to begin to forget the promises they have made.

They did make the promise that one of the very first things on their agenda, immediately upon moving into office, would be to bring forward an environmental bill of rights. Now we see that they are planning to do something through this session. How long will this session go on? I know it is going to go on too long for some of us. The fact is, it will go on and on. We have no time frame as to when they are going to be doing this.

I would like to challenge the minister to think of what the Premier said yesterday. The Premier was talking about the new openness of committees and appointments to positions in this Legislature. I would like to challenge the minister to include a nominee to her advisory committee from someone from the opposition parties. We would be pleased to nominate someone. I am sure the Liberals could find some friend left over from the election campaign. We would be in a position then to balance the minister's committee so that it is not just the groups she is used to listening to that are going to be advising her.

Let the minister stop and think. She has only announced who the chairman of this committee is. Why not look at others from other parts of this Legislature and give us an opportunity to have some impact on the leadership of this committee? It is an important committee. The minister is obviously going to take some time. She has not indicated how long, but I am sure we will be able to find someone who will commit a great deal of time and energy to help her do the kind of job she should be doing.

I am concerned as well that the minister has not really indicated the guidelines of the committee. She has enunciated a few principles, but I would like to see her come forward with some of the thinking that my friend the member for Mississauga South has expounded in the past about a compensation fund, where moneys that are gained through the environmental task force, the environmental spending that is involved, will go into an environmental fund so she is not just going back to the general revenue

fund. There should be some way in which these moneys are separate from the rest of the government moneys.

I really hope the minister, when she starts saying she is going to have an environmental bill of rights, will involve industry. She has mistakenly left industry out of her agenda along the way so far. I think it is very important that she has not just some token representatives from industry on this advisory committee. She should make sure she has a balanced committee that includes a good cross-section of the views that are involved.

When question period comes, we are going to give the minister another opportunity to think about what she has not said. This is not a toothless minister. She gave us the chance yesterday to go after her. This is one of the most powerful people in the government of the Premier. We have to respect the fact that her powers have people terrified at what she is going to do. She has to have balance in what she does. She has to make sure that when she comes in with her legislation it reflects the kind of balance our province has enjoyed in the past. If she comes along with some of those very left-wing philosophies she is prone to, I think we could be into some very serious problems. That is why I think, to start with, she should get her committee so that it has some balance on it. We would be glad to nominate some people to sit on it.

ORAL QUESTIONS

LANDFILL SITES

Mrs Sullivan: We on this side of the House do not want to argue about semantics. The minister continues to say that she does not have a dump list. She is now suggesting that there may be more than one list. There may be, indeed, several lists.

We believe, however, that communities have a right to know whether they are being considered for garbage dumps. That is not simply an environmental issue; it speaks to the openness and integrity of this government. Will the minister table in this House any and all lists that have been developed for potential sites for Metropolitan Toronto's garbage?

Hon Mrs Grier: As I explained to the member yesterday, I have asked the regional municipalities that compose the greater Toronto area to make available to the public authority that is going to be established all relevant information they have so far collected in their search for garbage disposal sites. I trust that when that authority is in place I will receive that information, and I will be happy at that time to share it with the member.

1410

Mrs Sullivan: That is not good enough. The minister is aware that her own officials have been a part of the process in developing these lists. She has four officials who sit on Metro Toronto's solid waste environmental assessment plan, SWEAP, steering committee. The greater Toronto area deputy minister sits on the GTA's Solid Waste Interim Steering Committee's exercise and the Deputy Minister of the Environment is an official observer on SWISC.

The minister is not being forthcoming and I would like to help her out. I have a phone number here for the official in her ministry: 323-5189. He sits on the Metro Toronto solid waste environmental assessment plan. I want her to call him and I am asking the page to take this to the Minister of the Environment. I want her to get the list from him and table it in the House.

Hon Mrs Grier: I thank the honourable member for the phone number and I assure her I will use it when I get back to my office.

Mrs Sullivan: Over the last number of weeks the minister has tried to comfort the communities across the province by assuring them that her 3Rs measures would eliminate any need for concern. But just like her environmental bill of rights, her garbage authority and her amendments to the Environmental Assessment Act, her 3Rs plans do not exist.

Metro Toronto is providing very specific actions to reduce waste and has done so in a public way, which we applaud. They are exhibiting the kind of leadership that we have really been expecting from this minister. I am wondering if the minister would outline today her specific measures to achieve the former government's waste reduction targets and when they will be in place.

Hon Mrs Grier: I am just delighted by the actions taken by Metro council. I think it is that kind of forward-looking and aggressive movement towards waste reduction and waste reuse that every municipality, not just in the greater Toronto area, is going to have to take if we are to meet those targets of more than 25% diversion from disposal by 1992.

I am delighted to be able to tell the member that I welcome those initiatives. I look forward to other municipalities taking the same initiatives. I have informed Metropolitan Toronto and the other regions that we will be establishing within my ministry a new waste reduction office that will be there to help them achieve those objectives.

NURSING

Mr Nixon: I have a question of the Minister of Health regarding nurses' salaries. The honourable member always agrees with the Premier, and for the first time he has said something that I agree with when he was quoted as saying: "If we want to retain nurses, we're going to have to design pay structures that are attractive enough to keep them. That's just basic common sense."

Since their demands over two years would cost the taxpayers approximately \$1.5 billion, in addition to that already allocated and whatever increase the Treasurer has in his mind when he gets around to announcing that, can the minister indicate that she has discussed with her colleagues, and particularly the Treasurer, some procedure whereby the hospitals will have some reasonable freedom of action when they come to negotiating with the nurses in a situation which has been very much obscured by the pay equity requirements and the fact that in the past—I would be the first, maybe the last, but among the first, to say that the nurses have really not received the consideration that they merit.

Hon Mrs Gigantes: The member knows that this party has been very concerned about the status of nurses within the health professions over the last number of years. He also knows that the package which the Ontario Nurses' Association will be putting on the bargaining table with the Ontario Hospital Association contains many elements. What will come of those negotiations, neither he nor I can predict.

The Treasurer, I am sure, will be taking all factors that we know of into account when it comes to the question of providing allocations for hospitals. I am sure he knows that we can count on the hospitals to make it clear what their financial needs will be. Further than that, it is very difficult to predict.

Mr Nixon: I think the honourable member will recall that my colleagues the former ministers of health took steps to, I would say, establish, if not reinforce, the roles of nurses in the provision of health services, such as requiring their election to hospital boards and other areas. But since there is a good deal of confusion here, frankly, I for one would not like the hospitals to go into a deficit position on the basis that they have had to undertake negotiations and finalize negotiations that would throw their approved budgets simply off the rails.

Surely—particularly when the Treasurer is taking extra time to reach his decisions on these transfer amounts—this is the time for us to establish some sort of a policy that will allow the hospitals to bargain as they have in the past in good faith, but come up with a result that is going to see that we are going to have the nurses not only continuing in their important duties but being satisfied that they are recognized in the community as important and properly remunerated.

Hon Mrs Gigantes: I think the member is identifying quite correctly the sense that I believe probably all members of this Legislature and most of the public have about what has been the problem with nursing over the last few years.

We are into a new era as far as women who are at work are concerned. They are not willing any more to be treated like they are nobodies; they want to be treated like they are somebodies. Nurses, as we have learned in other provinces, are providing an outstanding example of the need of women at work to be recognized for the value of their work.

Given all that, it is still a very complex matter to discuss what will be happening in this particular round of negotiations because we are talking about a combination of factors. We are obviously talking about the nurses' desire to be treated as if they are somebodies and also to be paid in recognition of the value of the work they do.

He knows this is related also to the question of pay equity as it affects nurses in this province, which again is being complicated by the kind of process we are going through. This is a difficult time to sort out those issues. The Treasurer will be meeting tomorrow with representatives of the Ontario Hospital Association, and I am sure he will be expressing our government's position and

hearing from them their feelings about what their needs will be.

Mr Conway: Accepting, as we all do, the critical role that nurses play in our health care delivery system, accepting, as I am sure we all do, that nursing salaries make up something like 35% to 40% of the average hospital budget, what can the Minister of Health tell me to tell hospitals in communities like Pembroke and Cornwall and Brockville and Perth, where in this fiscal year those hospitals and many like them in her region of the province and elsewhere are running very, very substantial deficits?

In the case of the Pembroke Civic Hospital, there is an in-year deficit that is now expected to be half a million dollars, and in the case of the Brockville General, a deficit that is expected to be three quarters of a million dollars. What can we tell those hospitals as to how in this kind of a deficit situation they are going to be able to do the things for their nurses that we all want them to do?

Hon Mrs Gigantes: I know the member will be aware that at this stage in the fiscal year the hospital accounts are by no means complete. Deficits which are forecast may turn out to be deficits which in fact, in balance, given the kinds of adjustments that go on through the Ministry of Health accounting and funding process, may well disappear by the end of the fiscal year. That was the pattern last year, as the former Minister of Health will indicate to the members.

Given that, I think the member should feel assured that when this government deals with the hospitals, it will say quite openly that we recognize the difficulties they have had, that our funding will try to accommodate what look to be current deficits, which we expect will diminish as the realities of the fiscal accounting go on this year, and that we will support them in their efforts to work out good relations with the nurses.

Mr Harris: I also have a question for the Minister of Health. Her Premier stated on 25 September that his government would be willing to get involved somehow in the next round of talks, in reference to the salary negotiations with the nurses and the Ontario Hospital Association.

In view of the fact that the talks are commencing and the contract expires in about three and a half months, is the minister involved? She may want to refer this to the Premier since he is the one who made the commitment, if she does not agree with it. Is the minister involved now in these discussions with the OHA and the nurses?

1420

Hon Mrs Gigantes: I am not a party to the negotiations, as the leader of the Conservative Party knows.

Mr Harris: Her Premier said on 25 September that the taxpayers are the ones who fund the hospital system. If it is found that there needs to be an increase for whoever it is in the system, that is where the money comes from. The rationale that he had at the time was that it was important that he or the Treasurer or the Minister of Health, the government, be involved in these discussions.

I would ask the minister if she feels that there is a need for an increase for nurses and, if she does, why she is not involved or the Treasurer or the Premier is not involved as

the Premier said on 25 September that the government would have to be.

Hon Mrs Gigantes: The leader of the Conservative Party might be reassured to know that I have met with the Ontario Hospital Association and the Treasurer meets tomorrow with the Ontario Hospital Association. The Premier has met with the Ontario Nurses' Association and I have met with the Ontario Nurses' Association. Obviously, we have had discussions with the parties, but when it comes to negotiating an agreement between the Ontario Hospital Association and the Ontario Nurses' Association, that bargaining goes on between two parties.

Mr Harris: We have the same answer that nurses have been given, as the Premier says, by former governments. I assume that he meant former Conservative governments and former Liberal governments. They were giving the same answer that the minister is giving. That may be the way that she wishes to proceed, but obviously former governments, whoever they were at whatever point in time, have not solved the problem.

The Premier said that there is a problem, acknowledged it and said that he would fight for it. In the campaign he said that he would fight for it. This is not a promise that he did not realize that he was going to have to live up to. On 25 September, after the election, he said that he would involve himself and that the government would have to get involved.

How can the minister now tell us that they are not going to be involved, that this is just simply a matter of negotiations? Would the minister not agree with me that if they are not involved with a substantial amount of money, these negotiations will be the same as they have been for the last 50 years and nurses will be no further ahead?

Hon Mrs Gigantes: I find it hard to believe that the leader of the Conservative Party really expects to have this government interfere with the collective bargaining going on between the Ontario Nurses' Association and the Ontario Hospital Association. Does he think that we should have free collective bargaining for nurses or not?

How in the name of heaven would we be able to get proper funding for hospitals if in fact we were there negotiating for one of the major groups operating the hospitals? Either we treat the hospitals as the employer or else we have to become the people who run the hospitals. I am sure that that is not what he wants.

LANDFILL SITES

Mrs Marland: My question is to the minister responsible for the greater Toronto area. I know that she is well aware of what her deputy minister, Gardner Church, is doing. I know that she sees that as her responsibility. I am sure that she intends that her waste authority will take over the waste management work of all the municipalities in the greater Toronto area and I am sure that Mr Church knows where those potential sites are, especially those of Metro.

In fact, we understand that as of today the minister personally has received that list. That list was sent to her by Bob Ferguson. If she has that list today from Bob Ferguson, as was confirmed apparently by the Toronto Star, my question is very straightforward. I know that perhaps

she found the Liberal question a little convoluted. Will the minister today please tell us the 15 names that are on Metro's list for potential landfill sites, and if she does not have it now, will she please send for it?

Hon Mrs Grier: I am glad the member for Mississauga South at least recognizes that this list of sites belongs to Metropolitan Toronto. I am not aware of whether or not a copy of that list has been sent to my office. If in fact it has been, I will be more than happy to share it with the member.

Mrs Marland: I am quite sure that the minister's staff are sitting at the side. Perhaps she would give them—

Interjections.

Mrs Marland: I am sorry that the minister cannot hear the question. I am quite sure, if the minister's staff are sitting out at the side and she has just promised to share the list with me, she will find that her office does in fact have the list.

I think it is very important when we look at some of the information that the minister has not been willing to share with us yesterday, and up to now today, that she clarify some very important aspects of this whole subject for us. One is that we understand her new greater Toronto area waste authority, which she referred to yesterday as the son of SWISC, will get a landfill site in operation by mid 1994.

The minister also has informed us that perhaps some six communities are involved, and we feel they should know the rules of the game. I mention Kirkland Lake, Orillia, Plympton, Marmora, Whitevale and Newcastle as some of the communities that are the most seriously affected. We believe the people in these communities have the right to know if they are going to be living next to a dump, quite frankly.

Is it true that the minister's legislation, which is to set up this new GTA waste authority, will stop all searches for future sites, will restrict the presubmission period for the consultation by the public to a mere six weeks, will uphold the happy host provision—and it has to be the happy host in the perspective of the council and not the residents—and will allow the construction of a site to continue even while court challenges are being heard?

Hon Mrs Grier: The kinds of details that the member is laying out I am not able to confirm. This is far too early in the process for me to be able to say that that is how that authority is going to proceed.

I am glad of the opportunity, though, to expand on the explanation the member made, which is that subsequent to SWISC there will be a public authority. That authority will be charged with the responsibility of finding a long-term waste disposal site for the greater Toronto area and that authority will establish criteria and the terms under which sites will be selected. As I said yesterday, how many sites they will examine and what those criteria are have not yet been determined.

Mr Cousens: It is very obvious to us that there is going to be tremendous statutory power on the part of the ministry to do what it wants to do, giving it carte blanche to go into any community and enforce a dump upon it.

What I and the member for Mississauga South see happening now is a total collapse of the search process to find a site that is going to meet the needs of the greater Toronto area, because what has happened is that the minister has given her emphasis towards Kirkland Lake. That is where she is trying to go.

What is going on is very, very inconsistent. On the one hand, this minister is saying she wants to be very open through an environmental bill of rights, and in her own bill it says the bill permits an action to be brought to the Supreme Court of Ontario by any person for the protection of the environment. On the other hand, she will be bringing forward a bill that is going to force a dump on Kirkland Lake. That is where the minister is going.

Can I ask the minister a very simple question? Will she allow the people in Kirkland Lake the benefit of the environmental bill of rights that she prepared when she was in opposition to question what she is going to do to their community? Because that is where she is going to put the dump. Will she give them the chance to protect themselves from the new legislation coming in?

Hon Mrs Grier: The residents of any community where a landfill site is being considered for the long-term use of the greater Toronto area will have available to them whatever legislation is on the books of this province, including a new environmental assessment process under which any site will be considered.

HOSPITAL SERVICES

Mr McClelland: My question is to the Minister of Health. She and her government have recognized and clearly stated that greater emphasis need be placed on community-health-care-based delivery systems. The people in Brampton North, my constituents, and indeed in the entire community, are concerned that the already overburdened existing health care facility we have, Peel Memorial Hospital, will not at all be able to cope and deliver adequate health care, particularly in light of the rapid projected growth, some 18% per year over the next few years.

Ministry officials have worked very closely with the Chinguacousy Health Services Board over the past number of years. They have a 46-acre site, a site that affords the opportunity to present a model for Ontario and perhaps all of North America. This is an extremely important project based on a health care delivery model, a community health organization model, that could be precedent-setting, a beacon, if you will, in terms of what can be done.

Will the minister today reaffirm her ministry's commitment to this very important project, the Chinguacousy Health Services Board project, and her commitment to see it through to its completion in an expeditious manner?

Hon Mrs Gigantes: I am glad to give that commitment. The member is quite right in saying that this government is committed to good community planning of the health resources in communities, and planning for the future in a style that is suitable for the 1990s and beyond.

What he tells me of the work that has been done pleases me. I will try to also investigate and find out what

state negotiations are at between the ministry and the local planning group.

Mr Callahan: With respect, it sounds like the minister is not aware of this project. This is one of the most important projects—it has been on the books for a long time. I fought for it since 1977, and the Chinguacousy Health Services Board has done significant work in terms of trying to bring it on stream. I certainly hope she will look at that and give it great emphasis.

I would like to deal with the situation at Peel Memorial Hospital. We have a population fast approaching 200,000 people. We are the fastest-growing community probably in North America. Peel Memorial Hospital has been a well-run hospital. For the last five years it has managed to arrive at a balanced budget. Obviously, in this time of economic downturn there are going to be problems with Peel Memorial as well as many other hospitals.

In order to ensure—as well as the Chinguacousy project my colleague referred to—that the people of Brampton, approaching 200,000, will have proper and adequate health care, will the minister stand in the House today and commit to provide funds to allow Peel Memorial Hospital to balance its budget for this year and any continuing year where we have a downturn in the economy?

Hon Mrs Gigantes: I cannot make such a commitment, as the member well knows. The final figures for hospital accounts are not in. He knows that the deficits which are now being projected are deficits which may well, given the kinds of balancing funding that comes through various aspects of our hospital funding program, balance out a projected deficit.

What I can give him is an assurance that his hospital, like each and every hospital across Ontario, will be given all the assistance it can be given under our current funding program. I hope, as I am sure he does, that that will provide the hospital with the funds it needs to carry out those very important programs within the Brampton community.

LANDFILL SITE

Mr J. Wilson: My question is to the Minister of the Environment. I have listened attentively over the last few weeks as she has discussed the garbage problem in the GTA, but she has not addressed problems outside of Metropolitan Toronto, the garbage crisis we are having, for instance, in my riding of Simcoe West.

On 1 November the minister signed an emergency certificate enabling six North Simcoe municipalities to dump their garbage at the Wasaga Beach dump site. Even before the minister signed the certificate, she was aware of a recent geological study which clearly states that a trail of contaminated leachate has moved almost one half a kilometre from the site. The dump is situated alongside the world's largest fresh-water beach, and the minister knows this leachate poses a threat to that beach and to the tourism industry of Wasaga Beach.

Why did the minister sign an emergency certificate to allow a sixfold increase in the waste stream going to the Wasaga Beach dump when she knows it had problems with contaminated leachate?

Hon Mrs Grier: As I am sure the member is aware, under Bill 201, which had been adopted by this Parliament under the previous government, responsibility for the management of those waste disposal sites lay with the county of Simcoe. The town of Wasaga Beach had challenged that authority in the courts. The courts ruled that the county did in fact have the power to direct the waste to the Wasaga Beach dump, and I followed that order.

Mr J. Wilson: That is totally unacceptable. The minister is responsible for issuing the emergency certificate. She should have been aware, and she was aware, because I personally made her aware. The mayor of Wasaga Beach has written six letters to her to date; she has not responded. I have made statements in this House, I have written several letters to her, I have personally delivered them to her, I have mentioned this issue to her time and time again. The whole discouraging thing about this is that when she was in opposition, this is exactly the type of thing she would have opposed.

When she issued that certificate she expanded that dump by 30% with no environmental assessment whatsoever, and she would not even give us the courtesy of taking a week to review it.

The Speaker: Is there a question?

Mr J. Wilson: Second, she knew there was contaminated leachate. She knew that the water flow studies in that area show it goes towards the beach. She knew that Wasaga Beach is dependent upon tourism, and she knows they are extremely concerned that we are going to have another Midland situation on our hands, which we had years ago, of a contaminated area that will wipe out the economic base of that community. She also knows that her Premier—

The Speaker: I appreciate the enthusiasm which the member is generating. I would appreciate it even more if he could place a question.

Mr J. Wilson: As she signed and issued the emergency certificate, and the Premier said in the last election that he would not allow expansion of dump sites without full environmental assessments, will she correct her mistake and live up to the Premier's promise and revoke the emergency certificate she signed on 1 November?

Hon Mrs Grier: I share the member's concern, and I agree with him that in opposition I shared those concerns. Let me assure him that had I been the Minister of the Environment for the last five years I would not have had to sign an emergency certificate and put waste from North Simcoe into Wasaga Beach.

RELIGIOUS EDUCATION

Mr Mills: My question is for the Minister of Education. With regard to her announcements on education about religion, has she considered funding of independent or alternative religious schools?

Hon Mrs Boyd: We deliberately, as a government, severed the issue of education about religion in the public schools from the issue of funding independent or alternative schools. We are still meeting with the groups that are

interested, and we have undertaken with most groups to meet with them to consult about their concerns.

Mr Mills: Can the minister say when she will be meeting with these groups and can she state when we can expect an announcement on these issues?

Hon Mrs Boyd: I met with one group two weeks ago, another group this morning, another group tomorrow morning, and we have planned a joint meeting for the end of February.

1440

PETROLEUM ADDITIVES

Mr Elston: My question is to the Minister of the Environment. It concerns Ethyl Canada Inc in Sarnia, which produces additives for petroleum products. We understand there is a proposal now by this company to expand production of this product in Ontario which is being viewed very favourably by the Ministry of the Environment. There is, in fact, a certificate of approval pending now on that very item.

While domestic markets for that product have all but disappeared, we understand they are increasing shipments to the Far East. Would the minister advise us that she, like us, is very concerned about the health effects of these petroleum additives and that she will investigate this particular product and ensure that the permits are not approved for increasing the shipments of this product to the Far East?

Hon Mrs Grier: I am not aware of the situation the honourable member has described. I would be more than happy to look into it and give him an answer as soon as I have the information. If there is anything further of which the member is aware and that he wants to share with me, I would be happy to have as much information as possible.

Mr Elston: I will make available everything I have and certainly share it with her. I understand that her local officials are viewing the certificate very favourably.

I would ask her, at the same time she is investigating this particular item—and on the understanding we all have, that many jurisdictions of the world have less restrictive environmental regulations than those put in place by the former minister, the member for St Catharines—to investigate all and every application for certificates of approval to expand production of items which are dangerous to human health and to be shipped to the Third World countries which do not have protective regulations such as we have.

Hon Mrs Grier: I thank the member for bringing this issue to my attention and I assure him that I intend to exercise my authority within the limits of the law.

TRUCKING INDUSTRY

Mr Arnott: My question is for the Minister of Transportation. Two days ago, in a quiet announcement, the minister indicated that the Ministry of Transportation would be issuing 400 new permits to allow 53-foot semi-trailers on the highways of this province. These permits are in addition to the 2,000 permits which have already been

issued by the former government. I want to ask the minister on what basis this decision was reached.

Hon Mr Philip: As the member will be aware, the previous government had introduced by administration a provision to allow for 53-foot trailers, some 2,000 issuances of those. The government in so doing did not in any way allow for longer trucks. That is an issue which my Liberal critic cannot seem to get clear in his mind: the difference between the length of the trucks and the length of the trailers.

What happened was that the previous Liberal government, in installing this system, made no provision about who these would go to. It was on a first-come, first-served basis. On 15 November, one person came in and was able to obtain some 650 permits, which dried up all the remaining permits. This put a considerable problem in the hands of certain trucking companies in Ontario which had signed agreements and had been told by the ministry that there were plenty of permits left.

In light of being fair to the trucking industry and saving an industry from having to lay off some 150 people, I decided that those extra 400 would be issued, up to 400 for those people who could prove they had signed agreements as of 16 November. That is why I proceeded on that.

Mr Arnott: Barely two weeks ago, the minister announced that he would not introduce legislation allowing for longer trucks on Ontario's highways because of public safety concerns. Is he now admitting that he is willing to compromise public safety on the highways for economic gain?

Hon Mr Philip: No, I am not. As I pointed out to the member earlier, the legislation which the Liberals introduced, which the Conservatives supported but which we voted against, does lengthen the trucks. We are not prepared to proceed with the lengthening of trucks in this province.

AUTOMOBILE INSURANCE

Mr Drainville: I have a question for the Minister of Financial Institutions. As the minister knows, British Columbia has had a driver-owned auto insurance plan for some time. This successful plan was implemented by the former New Democratic Party government in British Columbia. It is still in existence. It has been basically left alone by the Social Credit government. I want to know from the minister if they are considering that program in this province and whether parts of that program are going to be implemented here in Ontario.

Hon Mr Kormos: Look at it? We have been admiring. We have been admiring what British Columbia has been doing with car insurance for the almost 20 years now since Dave Barrett and the NDP government put the Insurance Corp of British Columbia into effect. Incredible but true, they have been able to consistently provide fair insurance coverage, including the right to compensation for innocent victims for their pain and suffering, along with reasonable rates, rates that have consistently been lower than here in Ontario. As a matter of fact, notwithstanding all that, they also produce one heck of a

calendar; I got mine just today. If we can come even close, by God, we have done the drivers and the victims and the taxpayers of this province proud. We are going to; just watch.

Mr Drainville: One of the concerns of the insurance brokers and the insurance agents and the policyholders in Victoria-Haliburton is the concern, basically, of consultation. How is the government going to go about that? How much consultation will there be? I would like to ask the minister whether he could give us some indication of what direction that consultation will take in the next few months.

Hon Mr Kormos: Perhaps I was remiss in not mentioning this when I answered the first question, because among the most fervent supporters of the Insurance Corp of British Columbia, of the public system there, are the brokers of British Columbia. They remain strong supporters.

The member asks a valid question, and my answer is this: We have been talking with brokers and agents from across Ontario since within literally days of 1 October. We are going to keep on talking to them. We are interested, among other things, in what BC has done, because in British Columbia that driver-owned system is sold through independent brokers. I am interested in seeing whether the independent brokers of Ontario can participate with us in delivering good-quality, affordable, fair auto insurance coverage.

Tomorrow morning at 11:15 I am going to be at the Holiday Inn in Sault Ste Marie meeting with the brokers of Sault Ste Marie. I would like to see the brokers and other interested people come up and see us, tomorrow morning at 11:15, Holiday Inn, Sault Ste Marie.

1450

ALCOHOL AND DRUG TREATMENT

Mr Phillips: My question is to the Minister of Health, on a matter that is of some urgency and one I think she can act on quickly. She would understand that we have seen a dramatic increase in OHIP payments to US drug and alcohol treatment centres. If we look back just three years ago, I think the payments might have been \$3 million to \$4 million; this year, my understanding is that it could be \$35 million to \$40 million. As a matter of fact, I think many of these treatment centres now have individuals in Ontario who actually are recruiting addicts to head to those facilities.

Quite clearly, I think it is a matter where jobs are going to the US, a substantial amount of Ontario money is going to the US, and perhaps as important, resources that could be developed here in Ontario and used over time really are heading to the US. The previous government, before the abrupt change, did have a program that we had put together, including the development of a couple of centres and some other programs. We did have a program ready to go and in place.

Recognizing the urgency of it, will the minister give us a commitment that she has a plan to end this practice? Perhaps as important, will she outline for us the timetable for that plan?

Hon Mrs Gigantes: The member raises a problem that has been the subject of a lot of public discussion. I think he comes to the same conclusion about the problem as I and most of the public of Ontario have come to, which is that we have got a problem. Now what do we do about it?

The fact is that we do not have enough services of the appropriate kind here in Ontario so that a Minister of Health can simply say, "We're going to ask every Ontarian to seek service only here in Ontario while we develop those resources." It is going to take some time, because the gap in some kinds of services is very large, unfortunately. We are going to have to try to build up our services here so that Ontarians can get service here before we start coming down hard on Ontarians who are seeking services outside the country.

We are trying to monitor the payments that OHIP makes to various facilities in the United States to make sure that at least the charges which OHIP is paying are charges which OHIP should be paying. In that sense, we have tightened up the system a bit, but there is still a lot of work to be done.

Mr Ruprecht: That answer is simply not acceptable. The minister obviously realizes that planning and thinking and more planning are no longer an acceptable strategy. The minister has it in her hands not only to save the taxpayer of Ontario millions of dollars, but also to help hundreds of residents who want effective treatment in Ontario.

I want the minister to be specific and tell not only the House but the people of Ontario this: (1) If a resident of Parkdale, even of the minister's riding, wants to turn himself or herself in, where does he or she go for treatment? (2) Is there a waiting list until that person can get treatment?

Hon Mrs Gigantes: That is not a simple question. Various kinds of people need various kinds of programs. We do not have an adequate system of substance-abuse programming in Ontario. That is a fact. We have to plan what kind of programs we need. We do not want, for example, to put all the drug programs into the Parkdale riding or into the Ottawa Centre riding. We have to plan where the need is. We have to find out where the need is and we have to plan to meet it in an adequate way. Before that, we cannot say to Ontarians, "You can't go to the States to get help when you need it."

COURT SYSTEM

Mr Harnick: My question is for the Attorney General. About 10 days ago, I asked the Premier a question that was to be referred to the Attorney General. I still do not have an answer. What I pointed out on that day was that at that time the figures were that 3,000 out of about 3,400 of the case dismissals in provincial courts had come out of the provincial court. There were opinions from two justices, Justice Callaghan and Justice Trainor, that in fact the Askov case might not even apply to provincial courts.

Nevertheless, victims have continued to see their cases dismissed. Victims of the people who have been driving while impaired and involved in fatal accidents have seen

the accused go free. I would like to know from the Attorney General how he can justify doing nothing for the victims when two courts have said there is a glimmer of hope here.

Hon Mr Hampton: I want to point out to the member that he refers to two opinions. In effect, there has been only one decision. Chief Justice Callaghan's statements were simply statements of opinion. They were expressed by him to the press. In effect, they carry virtually no weight in terms of the value of precedents.

Mr Justice Trainor's decision, while a very interesting decision and one which some provincial division judges are following, is not being followed far and wide. There are all kinds of reasons why that may be the case. In effect, Mr Justice Trainor is the senior justice for the Toronto area and outside of the Toronto area his decision does not necessarily have to be followed.

So I do not have—and I want to emphasize this for the member and for the public—the capacity or the authority to tell judges what decisions they must follow. In effect, there has been a Supreme Court of Canada decision. Most judges believe that they must follow that decision. I have no authority to interfere with that.

Mr Harnick: Just for a second here, I never knew as a basis of law that because a judge was in Toronto, another judge of a lower court in another jurisdiction outside of Toronto did not have to follow his decisions. But the minister is the chief law officer in this province and he could easily ask the Court of Appeal to expedite an appeal, because if two judges—and with respect, Justice Callaghan's remarks have to give him some hope.

With respect, if the minister picked up the phone and called the Chief Justice and said, "Let's get an appeal on here," we might be able to save 50,000 or 60,000 cases. There is a glimmer of hope here. Why is the minister not expediting an appeal to try to help these victims? It is better than sending the victims a letter of apology.

Hon Mr Hampton: I would ask the member to take a little time and read Mr Justice Trainor's decision very carefully. In effect, it is not a decision which could be easily referred to the Court of Appeal, since, for the most part, it is a decision—

Mr Sorbara: That is in the first briefing book that you read a month and a half ago.

Mr Arnott: It gives you grounds for appeal.

Hon Mr Hampton: There seem to be a lot of experts on the justice system from the Liberal bench. It is very interesting that the Liberal Party got us into this mess in the first place.

Interjections.

Hon Mr Hampton: To attempt to answer the member's question above the clamour, we have looked at Mr Justice Trainor's decision. There are better decisions, other cases which will soon be going to the Ontario Court of Appeal, which will give the Ontario Court of Appeal the opportunity to state clearly what it considers to be the appropriate level of guidance for the provincial division of

the Ontario court. I expect we will have a decision on that some time after Christmas.

POLICE SERVICES

Mr Frankford: I have a question for the Solicitor General. As the minister knows, the Metropolitan Toronto Police Commission voted last month to reopen a much-needed police station in my riding. Given the current economic pressures, among other factors, the commission took the advice of Metro Toronto Police Chief Bill McCormack and decided to make the new 43 Division a sub-station, rather than a full-fledged police station.

Prior to its closing in March 1989 the station represented a workplace for some 160 police officers, plus dozens of support staff. The building which once housed the police station is now used by a number of employees of both Metro Community and Social Services and West Hill Community Services.

Negotiations are under way to ensure an arrangement equitable to all concerned. That re-established police presence will go a great distance towards cutting down on complaints of crime in southeast Scarborough. I think we would all agree that we must answer the need for both police and social services in our respective communities. What is this government's position on the question of community-based policing?

Hon Mr Farnan: This government is very much committed to community-based policing. We recognize the crucial role of community policing in defining the policing needs of the community and we believe that policing should be a reflection of those needs. We believe that the ultimate goal of policing is to build a partnership and a trust between policing services and the communities that they serve. As a result of that partnership and trust, we believe that there will be enhanced provisions of security and protection for individuals and for neighbourhoods.

The reopening of 43 Division in the member's riding is seen by both the Metro police and by its board of commissioners, and indeed by this government, as a move in the right direction. It will enhance foot patrols, community service officer programs and race relations activities. We encourage it.

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Mr Frankford: Can the minister tell us the status of the implementation of community policing in Ontario?

Hon Mr Farnan: We are encouraged at this time that several forces in the province of Ontario are moving in the direction of community-based policing: Metro, Halton, OPP, Windsor and indeed smaller forces such as Kirkland Lake. There is some pilot testing in community-based policing, but it is our desire to encourage a force-wide approach to this issue. I do really appreciate the support of our opposition members in this initiative.

Interjections.

The Speaker: It certainly is pleasing to know that the extended hours have not dampened the enthusiasm of members. Has the Solicitor General completed his response?

Hon Mr Farnan: I just want to emphasize that the Solicitor General's office will promote community policing as the contemporary approach to policing in the 1990s. We will support its implementation and this support will result in enhanced programmings for victims, sexual assault, cross-cultural policing and crime prevention. My ministry is working with police forces to enhance this and we will continue to do so.

TOURISM INDUSTRY

Mr H. O'Neil: I hardly need to emphasize the importance of the tourism industry in Ontario. In 1989 tourism generated approximately \$11.7 billion and employed hundreds of thousands of people. It was Ontario's third-largest industry. This year it has fallen to fourth place, with further decline on the way.

According to statistics compiled by the Metropolitan Toronto Convention and Visitors Association, two-year advance bookings are down 42% in 1990 compared to 1988. For each 5% drop in occupancy rates there is an indirect loss of 3,000 jobs.

Therefore, my question is to the Minister of Tourism and Recreation. I understand that his ministry has projections about the seriousness of the decline in the province. Will he share these figures with the House today?

Hon Mr North: I can tell the honourable member that at this point there are a number of different factors that have been contributing to the decline in Ontario. There are factors such as the economic conditions: the high dollar, the high interest rates. There is a change in preference in the tourist patterns in Ontario. We are well aware of all these factors and we are working very hard to see what we can do to change this problem.

Mr H. O'Neil: I appreciate the answer that the Minister of Tourism and Recreation gave me, but what do we have right across the province? We have declining numbers of tourists travelling within the province itself, fewer tourists coming in from other provinces in Canada, and of course our numbers of travellers coming from the United States are down greatly.

We need some action now. I would like to know whether the minister has approached the Premier and the cabinet for additional funds for promotional programs, for other types of programs that will give some of our hotels, motels, resorts and restaurants a chance of surviving the winter. What are some of his specific programs?

Hon Mr North: I appreciate the question and I understand the member's concern. We have talked to a number of different people in the province. I have talked to the Premier and I have talked to the cabinet. They understand my concerns. They believe my concerns are genuine. We will be working very hard to see what we can do for tourism in Ontario. We consider it more than a hobby.

WASTE MANAGEMENT

Mr McLean: My question was for the Premier, but seeing that he has left, I will ask it of the Minister of the Environment.

When the Premier was in Orillia last August, he made the statement that there would be no garbage hauled out of

Metropolitan Toronto unless there was a host municipality. There has been great discussion with regard to the Uthoff quarry as being one of the sites that Metropolitan Toronto has been looking at. Does the commitment the Premier made that, unless there is a host municipality they will not have to accept it, still stand?

Hon Mrs Grier: I certainly share the concern that is there in a number of communities and municipalities. I hate this business of one municipality fighting against another municipality, but I think we have to recognize that there is an enormous problem in the greater Toronto area. We are moving to reduce as much waste as possible. We are looking upon waste as a resource that can be reduced, recycled and can generate secondary industry.

We will at some point need to have a landfill site. The selection process for that site will be determined by the authority that we are going to have in place, and its definitions and its criteria will be the ones that will be followed, so any criteria that have been used in the past may no longer be relevant.

Mr McLean: The township of Orillia is the location of this quarry. The Premier had made the statement that no municipality would have to take Metropolitan Toronto's garbage unless it was a willing host. Will the minister tell this House and the people of that community today that unless they are a willing host, they will not have to take the garbage?

Hon Mrs Grier: The context in which the Premier was responding was the program that had been set in place by the previous government. One of the very many difficulties with that program was a semantic one because there are differing interpretations everywhere of what a happy host is. One of the first things that the new authority is going to have to determine is what a "happy host" means and what criteria will determine where a site should be located.

ONTARIO FOOD TERMINAL

Mr Mahoney: My question is to the Minister of Agriculture and Food, representing that great agricultural community of Mississauga. Seriously, I want to bring to the attention of the ministry a question of very grave concern to a number of people, and it has to do with the Ontario Food Terminal. I have written the minister a letter and sent a copy to the Minister of the Environment outlining the concerns around the food terminal. As the minister knows, that is a project built on government land.

Before the minister answers the question, I would like to suggest that the age-old, tired answer we are getting that it was the previous government's fault or we did not solve the problem is not good enough. It is a problem that I am prepared to admit that government did not solve; it was not solved, in fact it was created by the former regime. The people I am speaking on behalf of would like to know if the minister can solve the problem.

There are leases granted in perpetuity. The holders of those leases turn around and sublease the units out to people in the produce business. They are actually coupon clippers. I have a case of a constituent and a friend of the Minister of the Environment, Greg Vetere. After 26 years

of operating B and G Vetere Wholesale in the Ontario Food Terminal, the man has been put out of business by the Ontario Food Terminal Board. It has accepted a \$60,000 deposit to build what it refers to as a C unit, another unit. It is not building the unit. It has kept the deposit. It has forced, after 26 years, the Vetere family to close their heretofore very successful business, and there are 15 members of the family and employees who are out of work.

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It is a tragedy. What has to happen is that this government has to take charge and tell the food terminal board to give Mr Vetere his deposit back, along with anyone else they have accepted this money from, or to build the units and allow these people to continue to do business. Will the minister instruct the food terminal board in that manner?

Hon Mr Buchanan: I am pleased to answer that question to a point. First, my understanding is that the gentleman mentioned has decided to go through the courts and in fact has made a statement of claim in court requesting the \$58,000 fee that was put forward, so it may be inappropriate for me at this time to send a directive about what to do to a board which runs the day-to-day operations of the food terminal. We set the policy. The food terminal board handles the day-to-day operations of the food terminal.

I might add that the member mentioned a number of other problems associated with the food terminal. I would agree with him that there are a number of issues that need to be addressed down there, and I am very pleased to say that we are going to talk to the board and see if we can address some of the concerns that have been around since 1954.

LANDFILL SITES

Hon Mrs Grier: On a point of privilege, Mr Speaker: During oral questions, the member for Halton Centre sent me the name of somebody in my ministry and a phone number and alleged that if I called that number I could get a list Metropolitan Toronto had compiled of possible waste disposal sites.

I would just like to tell the House that the person referred to is not a member of the solid waste environmental assessment plan committee of Metropolitan Toronto. He is on their mailing list, as are many of us. My deputy minister does not have and has never seen such a list, and my office has not received a list. I would like to refer her question to Metropolitan Toronto.

Mr Elston: On a point of order, Mr Speaker: When somebody makes a reply about a question previously asked, there is obviously the need for a supplementary. I would ask that you, Mr Speaker, allow a supplementary to the member for Halton Centre. That is the way things are done. When a person stands in this place and replies to a question previously answered, there is a supplementary allowed. I am asking that a supplementary be allowed for the member for Halton Centre.

The Speaker: What the member for Bruce has referred to is a practice which normally follows when the

minister who has been asked a question comes back to the House on another occasion, usually the subsequent question day, to respond to a question asked earlier. The minister, I think, would normally be expected to come back to the House on another occasion to respond, as she did today. What I would like members to understand is that in allowing the supplementary, it is because of the fact that the minister chose to come back into the House today rather than waiting for the next question period, which of course is the following Monday.

Supplementary, the member for Halton Centre.

Mrs Sullivan: Certainly officials from her ministry, including her—

Mr Harris: On a point of order, Mr Speaker: We are breaking a fair bit of new ground here, and I appreciate the Speaker's ruling. I am not objecting to your ruling at all; I think it is entirely in order and I think it was an occasion for new ground to be broken.

However, I think one would have great difficulty in determining whether the response the minister came back to the House with was in response to a question from the official opposition or in response to a question from the member for Markham. I would suggest we could handle that easily by having one each.

The Speaker: To the leader of the third party: First of all, we are not really breaking new ground. What we are doing is allowing a practice which would normally have followed on Monday to occur today. The minister, in her supposed point of privilege, mentioned the member for Halton Centre as having raised the question. Therefore, the supplementary belongs to the member for Halton Centre.

Mrs Marland: On a point of order, Mr Speaker—

The Speaker: Is this on the same item that has already been raised by the member for Nipissing?

Mrs Marland: It is on the item you have just addressed, Mr Speaker.

The Speaker: I am sorry, we have dealt with this matter. The leader of the third party raised some interesting concerns, to which I have responded. If this is a point of order to deal with what I have already ruled on, then I will not entertain it.

Mrs Marland: It is a point of order on an earlier matter, Mr Speaker. I stood in this House this afternoon and I was the person who addressed the fact that we understood the minister had this list in her office today. That was the response to which the minister just made her announcement, I understand. The member for Halton Centre did not say the minister had the list in her office.

The Speaker: The member for Mississauga South clearly knows that that is not a point of order. The member for Halton Centre has a supplementary.

Mrs Sullivan: I have been given a list from Metro Toronto relating to the people who are involved on the SWEAP committee. It includes four officials from the Ministry of the Environment, not simply the one whose name I gave to her. Additionally, her deputy minister is an observer on the SWEAP committee and a part of the process. As well, the deputy minister of the greater Toron-

to area is a part of the solid waste interim steering committee. I ask her once again to get the list from her officials and table it in the House.

Hon Mrs Grier: We have within the greater Toronto area five regional municipalities, one of which is Metropolitan Toronto. Metropolitan Toronto has a committee known as SWEAP. It has developed under its own processes a list of sites. Then we have a committee put in place by the previous minister called SWISC, on which representatives of the greater Toronto area assist. I am afraid the member is going to have to get a little clearer on who is doing what and recognize that there is no relevant list until the public authority develops one.

PETITIONS

RETAIL STORE HOURS

Mrs Mathysen: I am presenting a petition today signed by seven session members of Burns Presbyterian Church in Mosa petitioning the government of Ontario to legislate a common pause day each week when all commerce will cease except for duties of necessity and mercy. I have signed my name to this petition.

1520

INTRODUCTION OF BILLS

ONTARIO ENVIRONMENTAL RIGHTS ACT, 1990

Mrs Sullivan moved first reading of Bill 23, An Act respecting Environmental Rights in Ontario.

Motion agreed to.

Mrs Sullivan: The purpose of this act is to ensure the health and sustainability of the environment in Ontario, and in particular to facilitate the participation of the people of Ontario in decisions affecting the environment and their ability to protect their common interest in a healthy and sustainable environment; second, to recognize the right of the people of Ontario to an environment that is adequate for their health and wellbeing and sustainable into the future; and, third, to recognize the obligations of the province of Ontario to conserve and maintain the resources of the province for present and future generations.

HEALTH CARDS AND NUMBERS CONTROL ACT, 1990

LOI DE 1990 SUR LE CONTRÔLE DES CARTES SANTÉ ET DES NUMÉROS DE CARTES SANTÉ

Mrs Gigantes moved first reading of Bill 24, An Act to control the Private Use of Cards Issued and Numbers Assigned to Insured Persons under the Health Insurance Act.

M^{me} Gigantes propose la première lecture du projet de loi 24, Loi contrôlant l'usage dans le secteur privé des cartes et des numéros attribués aux assurés en vertu de la Loi sur l'assurance-santé.

Motion agreed to.

La motion est adoptée.

Hon Mrs Gigantes: The purpose of this bill is to control the use of health cards and health numbers by the private sector.

PLANNING STATUTE LAW AMENDMENT ACT, 1990

Mr Cooke moved first reading of Bill 25, An Act to amend the Planning Act, 1983, and the Land Titles Act.

Motion agreed to.

Hon Mr Cooke: My statement explained the bill earlier today.

LEAD ACID BATTERIES RECYCLING ACT, 1990

Mrs Sullivan moved first reading of Bill 26, An Act to require the recycling of Lead Acid Batteries.

Motion agreed to.

Mrs Sullivan: The purpose of this bill is to require the recycling of lead acid batteries. Consumers and retailers would be prohibited from the disposing of batteries except by delivery to a manufacturer, a wholesaler, a secondary lead smelter or a designated recycling facility or, in the case of consumers, to a retailer.

Disposal by a manufacturer, wholesaler, secondary lead smelter or a recycling facility would be prohibited if the disposal was done in such a manner that chemicals from the battery might be emitted into water or air.

Retailers would be required to accept from consumers who purchased batteries the equivalent used batteries, and a similar requirement would apply in a case of wholesalers who sold to retailers.

Retailers would be required to post notices indicating their obligation to accept used batteries from purchasers.

ORDERS OF THE DAY

Hon Mr Cooke: Mr Speaker, we are going to be calling, with unanimous consent of the two opposition parties, the sixth and seventh order combined, as they are both related matters and both opposition House leaders have been consulted and agreed.

The Speaker: Do we have unanimous consent?

Agreed to.

EDUCATION AMENDMENT ACT (MISCELLANEOUS), 1990

Mrs Boyd moved second reading of Bill 12, An Act to amend the Education Act.

OTTAWA-CARLETON FRENCH-LANGUAGE SCHOOL BOARD AMENDMENT ACT, 1990

LOI DE 1990 MODIFIANT LA LOI SUR LE CONSEIL SCOLAIRE DE LANGUE FRANÇAISE D'OTTAWA-CARLETON

Mrs Boyd moved second reading of Bill 13, An act to amend the Ottawa-Carleton French-Language School Board Act.

M^{me} Boyd propose la deuxième lecture du projet de loi 13, Loi portant modification de la Loi de 1988 sur le Conseil scolaire de langue française d'Ottawa-Carleton.

Hon Mrs Boyd: It is the intent of Bills 12 and 13 to address a number of issues which have implications for the election of school trustees. It is before the House at this time because a commitment was made in 1988 by the previous government that any changes in legislation that would affect elections would be in place in the year before an election so that the necessary preparations for the elec-

tion could be completed in a timely way, candidates could plan adequately for a campaign and the election process itself could proceed in an orderly fashion. The next election for school board and municipal offices will take place in November 1991.

The first issue the bills deal with is the establishment of French-language school boards in Ontario. These bills will enable the minister to ensure that French-language governance in Ontario is in line with the Supreme Court of Canada's decision in *Mahé*. *Mahé* established that charter section 23 rights to minority-language instruction include a sliding scale of institutional and governance requirements based on the number of students.

In November, the minister announced the formation of a French-language education governance advisory group which would establish criteria for the creation of French-language school boards. At the same time, I announced that negotiations and consultations would begin immediately in Prescott, Russell and Simcoe counties, where the French-language communities feel that conditions entitle them to the immediate establishment of boards. Bill 12 gives me the power to establish new French-language boards by regulation in order to allow this to happen expeditiously and in a year that is not an election year in case the conditions do not coincide with the years in which regular school board elections are held.

The next issue addressed by the bills is how the number of French-language trustees on a school board is to be determined. Currently the Education Act requires that the proportion of French-language trustees be determined based on the proportion of French-language population to the total population in a board's jurisdiction. The *Mahé* decision stated, however, that the number of minority-language representatives on the board should be, at a minimum, proportional to the number of minority-language students in the school district. It is the intent of this bill, therefore, to bring the method of determining the composition of a board into compliance with the *Mahé* decision by providing for the proportion to be based on student enrolment.

The amendments provide for a school board to make the calculation of enrolment of both its majority- and minority-language resident pupils registered, on registers prescribed by the minister. The enrolment calculations must be confirmed by a majority of the trustees governing each language group. If the calculations have not been made or are not confirmed, the amendments provide for the matter to be referred to the Languages of Instruction Commission to resolve the dispute and make the determination.

Bill 12 also proposed the following amendment to address concerns raised by trustees during consultations since the 1988 election year:

A board resolution to increase or decrease its size by one or two members shall be valid only for the term of the members elected at the next election instead of for the next two elections;

The designation of low-population areas for trustee distribution shall be a decision of each language section of the board and not the board as a whole;

The population data for trustee distribution shall be determined as of 1 January and the results reported not later than 15 February in an election year;

In addition to the current provision that minority-language trustees be elected at large, the amendments also provide the option of using the method of trustee distribution that is provided for majority-language trustees;

The provisions for filling vacancies are made consistent for all trustees, and

The period of time in which trustee vacancies must be filled is extended to 60 days.

1530

Bill 12 also provides for full funding immediately rather than at the rate of one grade per year if a Roman Catholic school board provides instruction in all secondary grades and the instruction is provided only in a school or schools operated by school boards by means of an agreement. Currently the Education Act provides funding for staged extension, one year at a time, for school boards which provide their own secondary programs. Bill 12 also provides that a separate school board which elects to extend under the purchase-only provisions must obtain a new approval if it wishes to provide secondary education in its own schools at some future date.

Finally, the amendments in these bills recognize that residents of a Canadian Forces base within the boundaries of a school board are eligible to vote in school board elections unless a school board has been established on the base.

In each case Bill 13 makes amendments regarding trustee vacancies applicable to the Ottawa-Carleton French-Language School Board by amending the Ottawa-Carleton French-Language School Board Act.

Mr Callahan: I only want to deal with one issue in Bill 12 and that is the issue under the proposed amendment, clauses 198(1)(a) and (b), which provide for the replacement of trustees where a vacancy occurs.

Over the last little while, I guess we have all read about the tremendous cost that is involved in replacing not just trustees but also people who were members of municipal council when they move up to a senior level of government, be it here at Queen's Park or be it in the Parliament of Canada, or perhaps they become deceased or incapable of holding office.

It seems to me it is about time, considering the present economic climate we are in and the tremendous cost to government and the deficit that is projected, that we should be approaching this in two new ways. First of all, we should be looking at it in terms of ensuring that the democratic will of the electorate is carried out and I would suggest that could be done, not just in the Education Act but also in the Municipal Act, by putting into the bill the fact that if there is a vacancy through death or whatever purpose, and there had been an election in that previous year and there had been other people who ran in the election and that they are still around, still alive and not incapable of holding office because of mental incapacity, the person who should take the seat should be the person who polled the next highest votes in that election.

The question of appointment of a person to a school board or to a municipal council by the people who were in fact sitting on the council or the school board, I would submit to the minister, certainly does not create an image of justice among those people who have cast their ballots in the previous election. What it smacks of perhaps—and I am not suggesting that this is the case but it could be perceived by them, depending on who the person was who received the seat—is that it is the old boys' club or old girls' club. I would submit that surely in this day and age, when we have reached the degree of rights that we have under the Charter of Rights and the recognition that people have some problems with politicians who were perhaps not the most honourable people—and I think that that is not true, serving in this House, but certainly a perception can be created by that. People who take part in elections and cast their ballots can very often believe that an action on the part of a council either in setting its own salary or, in this case, appointing someone to fill a vacancy can be perceived as an effort to simply favour one or another person.

In the past little while in Metropolitan Toronto, my own riding of Brampton South and several other ridings, we have seen municipal councillors replaced by the process of an applicant filling the position. I have to say right off that in my own community, from a municipal standpoint, the person who was appointed was in fact the person who polled the next highest number of votes in the previous election, but I have to tell members about the process.

The process, as perceived by the constituents in my riding, had to be absolutely horrendous. They put an advertisement in the newspaper. Forty-two people applied for the job, and sat there through a rather lengthy council meeting, and then they went through some process that was in fact challenged by one of the councillors.

I am not criticizing the council. I am not criticizing the way it was done, but I do feel some empathy for those 43 people or whatever the number was who sat there all night and anticipated that they might have a shot at that seat, and in fact they did not. They all spoke. It was a very lengthy council meeting. It ate up an awful lot of tape, but the council followed the process that was in place now.

What I am suggesting is that if we are to ensure the image of politicians, the image of the whole system of government and the image of justice, and that justice should not only be done but appear to be done, we should be approaching this process in a far different way, as I have suggested.

It is interesting that the minister has brought these amendments forward. I in fact have two amendments that are in the works with legislative counsel that would deal with the Education Act as well as with the Municipal Act and they would provide those safeguards, as I see them, safeguards not only to democracy but to the financial viability of our province, saving all that money that is spent in a direct election.

If there was no previous election, it was an acclamation, or if the person next in line in terms of number of votes cast is not capable of taking the seat for whatever

reason, then in fact you can resort to an election. I do not think, with respect, that in this day and age the appointment of a person either to fill the role of a trustee or to fill the role of a municipal councillor will be viewed with any degree of respect or integrity if it is done in this process. This may have been fine in the old days—and perhaps it should have been abolished in the old days, because I suspect there was a great deal more clubby atmosphere in the old days as to who got the nod for the seat.

It is also important to consider the amount of honorariums that are available in most school boards and municipal councils. They are significant. The taxpayers are up in arms over local taxes, and they demonstrated that in the last election. They in fact want to be satisfied beyond a shadow of a doubt that they are receiving true value for the tax dollar they find so difficult to contribute to maintaining public democracy.

I speak against the amendment. I will speak against the same amendment if it is brought forward in terms of the Municipal Act because, with the greatest respect, I think we do ourselves a disservice and we do the public a disservice by continuing this practice, which, as I say, may be totally honourable. I would not want to comment on the integrity of the process as it has occurred anywhere in this province, but certainly to the people who view it, they are suspect, and particularly when they see someone who perhaps knew most of the people on the council or the school board getting the nod.

Finally, the important fact as well is that the person who polled the second-highest number of votes is a person who, I am sure, in order to do that must have been aware of the issues that were important to the electorate during that election and, that being the case, will have an interest in school board or municipal government. I suggest that you get the benefit of a person who is capable of moving into the seat, either the school board seat or the municipal seat, and being able to pick up the line of what is going on in the municipality and being able to be an effective member. This becomes particularly significant if the vacancy takes place late in the term where this person may just come in and fill the role and he or she may not understand what is going on at the council. What you are really carrying, with all due respect, is a piece of deadwood that is being paid an honorarium just like every other effective member of the council or school board and is not carrying his or her weight.

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I would urge the minister that she might reconsider either changing that section or, as has never happened in the history of this province—with the exception, I think, of a bill brought in by the member for Riverdale. I think it was to change daylight saving from one point to the other. There has never been a private member's bill in this House, with the exception of that one, that has ever been accepted by the government of the day. And that was our government; the Tory government and the NDP government, I suspect, would be of the same.

Being New Democrats, one would think the government would be totally democratic about it and would give the opportunity to a private member, *pour moi*—how is

that? My French is coming along well, eh?—to at least put that bill forward, and perhaps it would have the public hearings on that private bill when it is introduced and withhold passing this one.

Finally, I would say to the government that we do not see this type of approach in our senior levels of Parliament. The government does not have us standing here in this House and appointing someone outside to fill a seat here. We hold an election. If democracy in that vein is good enough for the senior levels of government, then it should be good enough for the levels of government at the school board and the municipal levels.

I urge the minister to consider that. Perhaps this matter will go out for public hearings. Perhaps what I have said will be reiterated by other citizens of this province who consider that is an appropriate way to deal with it. Perhaps when the final order of the day is made, either the suggestion I have made or the suggestion that comes about as a result of the public hearings—because the people out there in Ontario who are not in politics probably have a more realistic approach in many ways to what we are trying to do in this Legislature.

If the minister would keep an open mind, I would indicate that if there are no amendments made to this section I will be voting against it when it comes before the House for final reading, because I totally disagree with it. I think in a modern way, even though we are not saying it, the people out in Ontario, who are really considering that politicians are something close to the second oldest profession in the world, are hearing from us the words of Marie-Antoinette: "Let them eat cake."

Mrs Cunningham: I rise this afternoon to speak on behalf of our caucus, along with some of my colleagues, to the bill called An Act to amend the Education Act that has been introduced this afternoon.

On the very last page of this bill, page 17, the short title of this act is Education Amendment Act (Miscellaneous), 1990. I would like to start by speaking to that term "miscellaneous." This is far from a miscellaneous bill. It contains a number of substantial changes to the Education Act.

May I describe to the members an experience that I had this morning in speaking with l'Association canadienne-française de l'Ontario. They were very disturbed that members of this House may in fact speak this afternoon against the creation of further French school boards. That is not the intent of my discussion this afternoon, and I speak, I would say, especially on behalf of all of my colleagues on that point in that we understand, that across the province of Ontario there will be and there should be more French-language school boards. There is no doubt in my mind.

I speak especially today to the member for Lake Nipigon, who is always very concerned about how I present myself in this House. So to the member for Lake Nipigon, I will tell him right now that I am going to speak in a very positive way about changes that I think should happen to make this legislation better for everybody.

I started by saying this is far from a miscellaneous bill. Although it substantially deals with French-language education, section 5 covers a change in how separate

school boards extend under the terms of Bill 30. My objection is this: If indeed the New Democratic Party in its election promises—and I think from its performance during my tenure in this House, it believes in public consultation and believes in input, believes in the right for people to have a better understanding through communication—and if its members meant it when in fact, on numbers of occasions, they stated that they did not believe in government by regulation, I would suggest strongly that they reconsider not what they are doing here, but how they are doing it.

And I will say it again to the member for Lake Nipigon, because I want him to understand my position. I am in favour, as are many of my colleagues, of more French-language school boards where numbers warrant, and not just because there has been a Supreme Court decision. I wish that had not been necessary.

We have enjoyed a very positive attitude, certainly, in our committees over a period of time in promoting French-language education in Ontario. Certainly in this Legislative Assembly, I would say all three parties, when given the opportunity—and now we have it—have wanted to speak positively about that. But this bill sets up roadblocks for trust and confidence because there has not been the public consultation.

The ministry—and I will get back to section 5 on how separate school boards extend under the terms of Bill 30—has reached an agreement with the Haldimand-Norfolk board to extend in a single year through purchase-of-service agreements. That was a consultative process. It was something that the ministry agreed to. It was something that was probably very much appropriate for that board. I am not arguing with that.

Yet instead of amending the act to deal with this specific case, the government will now impose this model on the other 16 regions that have not as yet extended. I am not sure that is a good idea. Certainly it was not the understanding when many of us were involved in the public discussions around Bill 30, which was very controversial. There came to be some degree of trust and understanding that if the ball game should change, or the rules should change, the public boards, the separate boards, the public, parents and students could clearly understand the changes because there would be a bill put forward for change, or an amendment, which they could be consulted about.

We do not have the opportunity to go out to our boards in the next couple of days in a meaningful way to talk about that and whether or not that in fact should be the model for boards across the province over the next years or decades, or whatever. I am sure the government is not confident that everybody agrees with it, but that kind of discussion could take place in a committee of this Legislative Assembly very quickly. I am not trying to drag it out. I am saying that if there are boards and they were warned and advised very quickly, if this was of some concern to them, we should be asking for their input. And that is a separate issue from the extension and the support for further French-language school boards, and I underline it as being separate.

It may be a miscellaneous bill to the government, but it certainly is not to school boards, which are now wondering about governments, about the cost of education, about good management and, above all, about communicating with parents and families and having trust in politicians and governments, and that means all of us.

1550

It is a significant change that the Minister of Education is imposing without consultation with the affected school boards and I would urge that this consultation take place. I urge that it be deleted from the bill so that it can take place. That would be an alternative. Perhaps we can carry it off in a committee meeting next week, I do not know, but I am open for that and I hope the government will be as well.

On the point of openness, this bill will allow the creation of additional school boards in this province by regulation. I hate to use the word, but it is one that is often presented to myself as a politician, I do not like it very much, but they say, "Oh, you people make deals behind closed doors."

If we do not want to make deals behind closed doors, why not have a bill such as we did in the case of the Ottawa-Carleton French-Language School Board and the Metro school board, and have the bill open for public consultation so that we are not accused of making these kinds of deals behind closed doors.

Having said that, I understand that in a press conference this year the minister said she was going to encourage open discussions around the Prescott-Russell school board and Simcoe, and I would say that she is most welcome to bring legislation in for both those boards. I think they are fairly far along in their discussions.

I know that a commission has been set up and we certainly agreed with it, although we took some opportunities to say that we thought she should have set up the commission first. I am now talking about the French Language Education Governance Advisory Group. That group could be most useful in bringing forth fruitful and conclusive discussions for both those two boards, not unlike a different commission did for the Ottawa-Carleton situation, but there were public hearings.

We do not want to be part of a Legislative Assembly, and I am sure members of the government do not want to be part, where deals are made behind closed doors. In fact, that is what happens when we find that there is not full public consultation with the local community and existing school boards. The Premier, when he was the Leader of the Opposition, not only in his campaign during the summer months but certainly in his performance here in this Legislative Assembly, was one person who I think was trusted because he always encouraged openness and more consultation. He often spoke against, and I will underline these three words, government by regulation.

Also, with due respect to my friend the member for Lake Nipigon, from time to time I have heard him voice those words. I do not really think he wants me to go find the Hansards—I think he will trust me—but he talked a lot about government by regulation when in opposition.

Hon Mr Pouliot: Oh, you have better things to do with your precious time. Be sure the quote is accurate.

Mrs Cunningham: He and I could have a conversation about this later if he is denying it at this point in time. Of course, I would not say this if I had not already seen it in print.

Having said that, I would like now to move on to the Supreme Court decision because I think this is one the minister is most concerned about. We share her concerns as to compliance and the legality of allowing French school boards to operate where numbers warrant. We recognize that the March 1990 Supreme Court decision means that Ontario must proceed with the creation of additional French-language education where numbers warrant. I would venture to say from in my time in this House that the members of this Legislative Assembly, and certainly individual members from all three parties and certainly in my work on the social development committee, would be most supportive of this decision and would want to assist.

Rural school boards have gone through the open consultative process, and where the minister's advisory committee has advised her and where she could assure this House that this was what the community thought was important and what was necessary—right now the feeling is that this opportunity will not be there for the school boards as they look at the legislation that is presented today.

We do not agree, as I said before, with the process that is being promoted in this bill. We do not want extension by cabinet decision, something that the New Democratic Party spoke very strongly about on a number of occasions over the years, I would say. We want a full consultation with the local communities.

No one would argue that Prescott-Russell should not have a French-language school board. However, everyone in that community must be involved in the discussion. Why not bring forward legislation, if in fact that has already happened, that will allow this full consultation and ultimately the school board, as has been done in the past.

If members of this Legislative Assembly have come to this assembly as former members of any school board, if they have been attuned to the concerns of the public in Ontario during the last election, if they are in tune with the real concerns of school boards and municipalities and people who are wondering what they are getting for their tax dollar, they will not be surprised that one of the great implications of additional school boards is the financial responsibility and the cost.

I am going to say this very carefully for both the minister and the member for Lake Nipigon. I believe that the principle and the extension is very necessary.

Hon Mr Pouliot: Don't slip.

Mrs Cunningham: I also think, and I will not slip, that it is a responsibility of elected people to consult fully and understand whose responsibility the cost is. I think we get people angry because they do not understand decisions and have not been part of the consultative process. If French-language school boards want the full support of their community, I think this bill does them a tremendous disservice by not allowing full consultation after the bill

has been presented in each and every community, so that everyone clearly understands who is going to pay for what, what the geographical area will be and who will be teaching in those schools.

This is exactly what we had to do around the implications of Bill 30, in each and every school board across the province of Ontario, around each and every school that was transferred and around each and every program that was paid for either by the individual boards or through purchase of service agreements.

There was not always agreement, but in the end everybody was able to say that they had a voice. It did not make things better some days, but it certainly made it better for those of us who represent the public in this Legislative Assembly. I at times have had to come here with the confidence of knowing that boards had to agree to disagree, certainly around costs, certainly around program availability, certainly around busing, certainly around the accommodation of students. But at least there was public consultation and people understood what they were getting into. Then what we had was the true local autonomy of school boards, because they had the opportunity to discuss.

During the election, the NDP promised to increase funding to 60%. Now the minister has indicated that education finance will be studied by the Fair Tax Commission. We are not here to criticize. We are hoping they can make this kind of goal happen through whatever way they can. If it means education becomes a greater priority, I am on the minister's side; she has tremendous support over here. I will say again that this will be discussed in the Fair Tax Commission. Yet at this point in time, everyone is nervous about talking about who pays.

This bill, at least, does not give individual boards that are created by an act of this government and sent out for public consultation the opportunity to have that open discussion. Therefore, people then become angry—the minister may not like me saying this—at the wrong people, the people who are having to create these boards for the best education and the rights of their own children. If we do not have the open process, the only ones who lose are the francophone children. I think that is wrong.

Before we institute needed fundamental change in how we finance education, we are now introducing another expensive initiative. I think that for a matter of months it should be the priority of this government to take a look at the finance of education, which was one of its promises. We should be doing that as quickly as possible, not waiting two years, but doing it now. This can all be part of it. There has been no indication how expensive these boards will be or who will have to pay for them, and I think it is everybody's responsibility in these tough times to talk about this cost.

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During the election, the Progressive Conservative Party committed to not introducing a single new initiative without providing provincial funding to cover the cost. We wanted to protect property-tax payers, particularly seniors, who have struggled under double-digit mill rate increases. We need to discuss the costs of all new initiatives in an open forum, however painful that may be. I think that after

we have talked about the opportunity to extend these boards, and we have the full support of all three parties to do so, what we need to do now is to provide a model so that this open process can be supported by all boards in this province, no matter which boards are being affected. This government, I believe, will indeed gain in trust and confidence if it takes a look at the changes that some of us are suggesting this afternoon.

I support my colleague the member for Brampton South when he raised some concerns about the replacement of school board trustees and offered the minister some amendments to be of assistance. I think that can be discussed in committee as well.

The public school boards have been critical, as the minister knows, because the legislation was tabled, in their view, without warning. I think if we were able to refer this to committee, which is certainly the intent of our party, to the standing committee on social development to meet next Monday and Tuesday, some of these concerns could be aired and the minister would have an opportunity to take a look at some solutions that are presented. I think this government has a wonderful opportunity to operate in a very different way than the past government.

No one is asking them to hold this whole thing up. We are asking them to take a look at some suggestions in those committee hearings on Monday and Tuesday. The government, of course, has the prerogative to deal with it in whichever way it wants to, and we are trying to be very helpful in our remarks this afternoon.

We are in favour of the principle of the legislation with regard to the extension for the French-language boards. We are not in favour of the extension with regard to the Bill 30 funding, which makes it very difficult for us to vote this afternoon. We are not in favour of the changes with the trustee replacement, which makes it very difficult for us to vote this afternoon. I would beg the indulgence of the government as we take our positions today, because we have been presented in one piece of legislation with three different issues and my caucus colleagues are having difficulty agreeing on the full bill.

Hon Mr Pouliot: You can take a walk.

Mrs Cunningham: No, we will not be taking any walks. We will be here to do what we were elected to do, and that is to advise the government wherever possible on how our constituents feel. I have spoken in good faith this afternoon. I have appreciated the opportunity. We do not believe that this Education Amendment Act (Miscellaneous) is miscellaneous. We think there are far-reaching implications for school boards. We will be referring this to committee later on this afternoon. I thank you for the opportunity to speak.

The Deputy Speaker: Are there any questions or comments?

Hon Mrs Boyd: I would like to make a comment on both the statements that have been made. First of all, with respect to the election issues, certainly at some point there is no question that this government wants to look at the election of municipal officials and school boards, but we did feel that was an appropriate thing that needed to have

further discussion, with those groups, largely because of the issues that arose from the most recent election.

We did feel that as a meantime effort we wanted to have some way to provide for the election of school board trustees in an election year. We are not going to be able to do full electoral reform prior to the 1991 municipal elections and therefore that was a consideration, that we wanted in some way to regularize the situation for school boards since we were putting forward this act.

With respect to section 5, I have a concern that the critic does not understand. Both subsections 4 and 5, as those are changed, do provide for a full Planning and Implementation Commission. There is a consultation process there. I cannot extend, unless that has happened. It has happened in Haldimand-Norfolk, and the consultation process is not being subverted.

There was a great deal of discussion on the other point that is raised. I would suggest to the member that because of the timing that is involved, we are suggesting regulation for those two school boards until the French-language advisory committee reports, at which point we would be bringing forward a full legislative package.

Mr Martin: This afternoon as I rise to speak to this question, I have to say that it is, for me, a question of great importance to this province and indeed this country.

Contrary perhaps to the previous speaker, I certainly see this bill as one of the extension of rights to the French population of our province. I think we have to look at this bill and its intent, which is to further the position of the francophone population of Ontario in a way that is meaningful and will in actual fact do something to improve its situation and allow the adult population to share with their children a culture and a way of living that they have been having a difficult time trying to protect in this province and this country for a long time.

In looking at this bill, I think it is important for us to put it in some context. The context I would like to place it in is certainly a historical one that speaks to where we come from as a nation. I think we also have to look at this bill in terms of the situation we find ourselves in now, as a province and as a country. I think also we have to look at this bill and the new legislation in the light of the people who are actually putting it in place—our party, the minister and the educational community out there in Ontario today.

I think once we have looked at that, we will have less fear as we move forward with this, I say, as quickly as we possibly can because we have kept the French community of our province and our country waiting too long.

Historically, our Constitution speaks to some very definite rights for the francophone population of our country and our province, rights that have not always been readily recognized or paid attention to or concretely presented in any meaningful way. We, as a country, have developed differently in experience from our American neighbours in that we choose to recognize and celebrate differences among us and to enshrine some of those differences in legislation. They are not just something that we speak about, They are something we actually live and spend money on, so that people can further them in ways

that speak to an evolution of a country that initially was made up of three founding cultures.

Personally, as I look at that historical development or evolution, I think of myself, an immigrant to this country in 1960 from Ireland, arriving in a community called Wawa where there was a mixture of every nationality that one could actually think of at that time. There were Italian people. There certainly were natives. There was a fairly large French population. We lived in relative harmony one with another and appreciated each one's celebrations because we were a small community and participated fully in those. For me, it was a very important part of who I am today. I was challenged in that small community to respect, tolerate, understand and live side by side with my neighbours of different cultures, backgrounds and faiths.

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I went from Wawa to Laurentian University in Sudbury where I came in full contact with a very large, highly motivated, well-organized francophone population. Initially I was jarred and stood back, somewhat afraid and intimidated by it all, but after having studied it from afar for a bit, I decided that the best way to deal with it was to step in, become part of it and learn from it. I actually took a couple of French conversation courses so that I could participate more fully with the members of that community at that level.

Because of that experience, I grew as a person and I was able to take the person I became back to the communities I then went on to work in. I firmly believe that the communities I worked in grew because I brought with me an understanding of the French experience, the French culture and language, that was refreshing, open and, as I have said before, tolerant. I think that is the kind of thing we want to promote in our country.

I do not see, to be honest with members, a better opportunity and a more optimistic place to do that kind of thing than in our education system, where we are actually working with children and offering them opportunities to come to understand their culture more completely, so that they then might share it with the rest of us and we might become a country that can be proud of its diversity.

It is in that context as well that I look at some of the negative things that have happened in our country over the last couple of years, which speak to a need for us to do some things differently at this point in time. I think we have to be less fearful. We certainly have to move cautiously and with some intelligence, but also not be so careful that we become paralysed and are afraid to take the steps necessary to ensure that our French neighbours, brothers and sisters have the opportunity to further their culture.

I just have to look at the way we have dealt with the French population over the last couple of years. Meech Lake is a perfect example of how we dealt very poorly with an opportunity and actually blew it. Because we blew it, we find ourselves today in a situation where our country could literally fall apart. That is very sad for me and causes me great pain, and I am afraid.

I look at the way we dealt with our native brothers and sisters at Oka this past summer. That was a mistake as well

because governments were not willing to take stands that made some sense quickly and earlier. We ended up in a situation where we actually were taking up arms against one another. I sometimes sat and watched television, read the papers and talked with friends during that whole scene at Oka, and wondered if this really was my country and if this really was an example of the way we wanted to deal with differences among us. We were so afraid to take action that spoke to providing for the rights people have according to their history and our Constitution, and so we ended up actually taking arms against each other. It is difficult to understand, but that is the way it is.

From that we move into the present situation we are in now and we have to look at that. We are in a situation now in our country where our French brothers and sisters feel that they have not been listened to. They feel that we are for ever reneging on promises and that we do not have the will to really move their agenda forward, to really give them what they need to do the job they require in order to make their culture alive and well.

I see some parallel to Meech and Oka when I look at the fact that just in the last few months, as I have been part of the education process here, we are in a position of possibly being taken to court. To me, that is not the way to have our country evolve, being forced to do things because of court decisions.

I think there is a more intelligent way of doing things and certainly the legislation we are speaking to here speaks to us of taking some action, but within that action there actually is opportunity for some very significant consultation. The difference in the consultation we are talking about is that it will be effective, will encompass a wide group of people, but will not go on for ever. It will have a beginning and an end and then we will decide and things will happen.

The announcement of a French-language advisory group speaks to consultation on a province-wide basis on how we will introduce the implementation of new French-language school boards. After they have consulted widely and come up with a set of procedures that we will use to introduce French-language school boards, then communities will actually be involved in what that will actually look like in their own particular community. There will be options available as to how they might want to do it.

I think that is a positive step and certainly different from what actually took place regarding the introduction of Bill 30 and some of the kerfuffle that happened over the last year in our province where we actually saw communities at each other's throat over French-language issues.

It is interesting to note that certainly the French community is behind this initiative and is willing and ready to participate in the discussions and in the opportunities that are going to be set up for discussion around these questions.

At this time we have our hands tied to a degree on this question. Certainly the Mahé court decision leaves us little option in terms of what we might do. As I said a few minutes ago, we are threatened with court action. We certainly do not want to end up in a situation where we are

forced by court action to do things that may not make as much sense as things we might do if we actually enter into some consultative process and then move it ahead.

Our hands are tied to some degree by the fact that we are very quickly moving into an election year, and we want to relieve the pressure and the pain that is being felt at the moment by the folks in Prescott-Russell and those places who want to get going with their own school boards.

The present situation has it that we are in somewhat of a hurry because of the 1991 election year regarding school boards and because of the Mahé decision and the potential for court challenges and being forced to do things that maybe we do not want to do.

The exercise here is one really of tidying up initiatives that were started by the previous government that actually were very good, and were a step forward—the recognition of the rights of the francophone population and trying to actually provide some concrete action in that respect. However, we now need to take further steps to move that along. I say that we cannot wait for ever. We have to move.

The third piece of the context that I would like to present to folks here today is the fact that we as a government have promised we will be consultative. In the couple of months we have been operating up to now, we have been talking to as many people as we possibly can about the things we might do. The processes that are in place through this new legislation certainly speak to a very significant consultative process being part of that.

Personally, my involvement with the minister over the last couple of months has shown me a person who truly believes in consultation, listens well, is not afraid to meet with any group at any time regardless of the situation or the circumstance, asks very incisive, intelligent questions, sums up a situation very quickly and her summations make a lot of sense, and then after listening to people she decides. The decisions she has made so far, in my experience have impressed me as ones that take in all of what she has heard.

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I have no fear, as parliamentary assistant to the present Minister of Education, that the decisions we will make after we have consulted with the folks we said we would and the people of this province as we move this legislation forward will not be the best solutions possible, particularly for the francophones of our province. I think as well it will be the best solution possible for those of us in this province who are not of francophone heritage who want to show tolerance in the best way we can, who want to celebrate differences and diversity of peoples and who want to see Canada evolve in a way that will allow us to stand with our heads held high in the international community as people of peace, of a place where everybody is respected, and not only respected but willing to put our money where our mouth is. Certainly there is a cost to things like culture and language, a price, but the price is well worth it.

I end my comments here by saying that everything I see—before and now and as I look into the future re this legislation—speaks to me of some very positive, optimistic movement forward re how we as a people in Ontario

will live together, French and English, and respect each other's culture and wants and desires. So I would recommend to the assembly that it vote in favour of this and not wait too long, move it along quickly so that our French brothers and sisters do not have to wait another year or two to see their most ardent desires at least begin to be answered, and so their children, who are growing quickly and moving through a system, can be given the best that we can offer so that they might reach their potential.

The Deputy Speaker: Are there questions or comments?

Mrs Cunningham: I appreciate the message that the member for Sault Ste Marie is presenting to the House this afternoon, and I would not want him to think for one moment that we are not concerned about the points he is making. That is not what we were talking about. We agree with what he said.

I am going to be very specific. When a school board is established by an act of this House, we will see in the act, according to this bill, the area of jurisdiction of a French-language school board, the structure of that board, the assessment and payment of rates, and the dissolution of another board or a section of another board. My point is that any one of those agreements, in a regulation, can be changed at the discretion of the minister. In both the Ottawa-Carleton and the Metropolitan Toronto situation, they can only be changed by a resolution of this House. There is a very clear understanding of how those boards operate and what consensus they came to together in determining how they wanted their French school boards to operate. It cannot be changed without those boards being involved.

I would suggest that this is our problem with this bill this afternoon. We are not trying to hold up, as the minister said. She wants to go ahead with Prescott-Russell. I think she may, depending on what the commission recommends. I should say that about Prescott-Russell, but certainly with Simcoe, to go ahead there, then bring the bills to us. Let us see what in fact the minister has gathered from her consultative process. In both instances before, there was never an argument in this House. All we are saying is that is what we want for school boards. We respect their local autonomy. We also respect the fact that when we are involved, rules can only be changed when they are debated publicly and when every member of this Legislative Assembly has an opportunity. That is all we are saying.

Mr Beer: It is a pleasure for me to rise and participate in this debate. I would like, during the course of my remarks, to deal first of all with the principles of the two bills before us and then also talk a bit about the question of process and consultation, because I think that is an element we must deal with in the House. I think some of the discussion around that has been particularly useful.

I would like at the outset to commend our colleague the member for Sault Ste Marie for his comments, his sort of personal approach to some of these issues, in a sense beyond the legislation but really talking about the spirit of it. Perhaps I might publicly commend his predecessor, Karl Morin-Strom. In my former role as minister responsible for francophone affairs, Karl was always very sup-

portive of the basic recognition of minority language rights in this province. I think that he served his constituents well in trying to put forward those views. I would like to state publicly at this time my appreciation for the work he did.

J'aimerais aussi souligner le vrai principe du projet de loi 112 sur la question des conseils scolaires de langue française. On sait fort bien que dans cette Assemblée législative nous avons discuté de cette question.

Ça fait presque 25 ans maintenant qu'il y a un droit légal, un droit de l'Assemblée législative de l'Ontario qui assure l'enseignement en langue française dans cette province. Vraiment, il y avait des représentants de tous les partis, durant cette période, qui ont travaillé pour élaborer le système d'écoles de langue française et pour appuyer les droits linguistiques dans cette province.

Donc, quand ma collègue la députée de London North dit que ce n'est pas le principe qui est le sujet de discussion, je pense que c'est vrai. La majorité des députés dans cette Chambre durant ces années en effet ont appuyé le principe.

Ça prend parfois du temps pour finalement arriver à une solution que la communauté veut bien voir. Mais je pense que durant ce voyage, nous avons essayé de développer un système pour aider les francophones dans cette province.

Donc, le principe de créer les conseils scolaires de langue française est un principe que l'ancien gouvernement a appuyé. Le ministre de l'Éducation, au printemps, a dit qu'on allait nommer une commission pour élaborer la façon de mettre en vigueur ces conseils. Et, avec le projet de loi que vient de déposer le nouveau gouvernement, on arrive à un principe qui est d'accepter la création de conseils scolaires, pas simplement à Ottawa-Carleton et ici dans le grand Toronto, mais dans d'autres régions de la province.

Ça, c'est très important et je suis sûr que nous tous partageons avec nos frères et nos soeurs francophones dans cette province leur joie de voir que l'on va maintenant élaborer un système de conseils scolaires. J'aimerais souligner ce principe.

In underlining that principle, I think one of the things we sometimes forget when we are discussing the question of minority language rights, because in this province it is the francophone community which is the minority linguistic community, is that in the legislation in the Education Act and in other legislation that we have on language, these are reciprocal rights, that we are not giving special protection to francophones, but in fact—it is clear in the legislation—we are protecting both the rights of French-speaking and English-speaking residents of this province.

It is very important to underline that, because I think some people forget that there are parts of this province where in certain counties and districts the majority of the population is French-speaking, and therefore the same rights and privileges that we seek to provide to the French-speaking minority in most parts of the province we want to ensure is also there for the English-speaking population in those areas where they are in a minority. As we go about this discussion, and certainly over the last several years as we discussed Bill 8, I think it is very important to continue

to note that what we are doing here in the area of the protection of minority language rights is something that stems from our vision of Canada, of what this country is all about.

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People may have disagreement about that vision and about those principles, but I think this Legislative Assembly has been very clear on each and every occasion when it has been called upon to pronounce its view to say that in principle we see the protection of English-speaking and French language rights not only in this province but in this country as being fundamental and critically important. With this principle that we are coming forward with today in the education area, I think we can all see that as something that is part of the vision that we have and that it is reciprocal, that we mean to protect the rights and privileges for the French-speaking community and the English-speaking community here in Ontario.

The minister earlier this year announced the creation, as was mentioned before, of a French-language education governance advisory group, and this particular body, which is made up of both and English- and French-speaking representatives with experience in the educational area will be, and indeed has begun its work, looking at the factors that we want to ensure are in place before creating a French-language school board.

A year and a half ago, I had the pleasure of spending a good deal of time in Prescott-Russell and talking with people there, those who were French-speaking, English-speaking, public and separate school supporters, about the whole concept of French-language school boards there, and one of the things we clearly recognized is that what we were talking about was changing the school board structure in that county, and it was going to affect both English- and French-speaking persons, obviously.

I think that as this commission goes about its work, it will be looking clearly and will need to look at the implications in the two specific areas the minister noted in her press release at that time, both Prescott-Russell and Simcoe, in creating French-language school boards in terms of the other citizens of that area, because there will be impacts on the English-language boards, or in some cases we will also be creating, in effect, an English-language school board. Again, that element of equity, of equality, of ensuring that what we are doing here will be to create, in some cases, new boards, and the implications of those boards will be far-reaching.

Turning to what is set out in the act in terms of the regulatory power, I think it is critical that certainly those elements be included in that review, and it is terribly important that when this particular governance advisory group makes its report, we have a full discussion of that report either in this chamber or perhaps in committee, because if there is one lesson from my experience as minister responsible for francophone affairs that I would want to share with my successor and with the government, it is that when they believe they have explained as clearly as they possibly can the nature of language legislation or the approach on language in a number of different areas, they will find out that they need to explain it yet one more time.

It is so critical that we share with all the people of this province, that we work with them in ensuring that there is a basic and fundamental understanding of what it is that we are trying to do with respect to providing to francophones control over their own schools, flowing from not only the Supreme Court decision but, I think, from a desire on the part of all of us that there be this equality, this balance of English- and French-speaking rights.

The advisory group's work is very, very important. I know some of the people who are on it. I believe it is an excellent group and would simply say that at the conclusion of their work I would urge very strongly that we in the Legislature have an opportunity to look closely at what they recommend.

I think that in terms of regulatory power my friend the member for London North has raised an issue which, apart from this particular bill, as a principle is one that we have always wrestled with, because clearly regulatory power, in effect cabinet power, is one that, no matter how fine the intentions of a particular government or individual ministers, is none the less one in which any government perhaps at times may find it may be easier to do some things—or there is the appearance that perhaps something is being done in a secret way or in a hidden way.

When we were discussing issues around the creation of other school boards informally, I know one of the things I was interested in was the possibility of developing a sort of model bill that one might apply, using the Ottawa-Carleton and Metropolitan Toronto experience. I can understand why the government at this point in time, in wanting to deal in particular with Prescott-Russell and Simcoe, would see that perhaps the way to go is by regulation, and I think if we could perhaps come to some understanding, have an agreement that we might want to sunset this particular approach, find a time frame that would be acceptable, that ultimately we would be able to deal with this by legislation.

I am not for a moment suggesting that what the government is trying to do here is to go off and come to a whole series of secret or hidden agreements. I think, in fact, the creation of the advisory group is going to mean that we have a very clear sense of the factors required to create those boards. But I would urge, as we look more specifically at this part, that we might want to consider, indeed think we ought to, some means of sunseting, of bringing back to the Legislature that regulatory power and looking instead at proceeding later by way of a bill.

With the advisory group, with the specific elements that are set out here, I do believe, and would want to be very clear, that I think we can ensure that with proper consultation people will be very much aware of what is being proposed in Prescott-Russell and Simcoe, and in any other area.

There are several other areas of the province I know that are very interested in developing a French-language board. I am sure a number of them have probably made known their views to the minister. I think it is good to proceed in a slow and certain way in terms of the two boards that we set up, how they are working, moving on to two others and looking carefully before simply estab-

lishing a board, because we know there are many elements related to that and we want to make sure that as we go forward, everybody is able to move with us. But the principle is a good one. I think we will be able to proceed with this, and as I say, I would urge the government to look at that possibility of limiting the regulatory power to a certain time frame so that we can then address these issues through the presentation of specific bills.

The question of the extension of the separate school responsibility is one, I think, which flows again from our discussions in this House around Bill 30. It is clear that there was a specific problem around Haldimand-Norfolk and that we were going to have to resolve that no matter what. That was clear to the previous government. I think, and this is perhaps a place to say it, that we need to recognize that, as I understand it, what the government is proposing is that the Planning and Implementation Commission, as it has in the past, would play a very full role.

As I have viewed the work of that commission, I think it is appropriate during this debate to say that the men and women who have served on that particular body since its creation have done, in my view, an outstanding job. When you think that there are two issues which historically within this province have caused tremendous disharmony at different times, language and religion, in some ways the task that the Planning and Implementation Commission was given originally when Bill 30 was passed seemed almost insurmountable. But I think a historian looking back on how in fact Bill 30 has been implemented—not without problems, not without concerns, but on balance, through the good work of the commission and, I think, the members of this Legislature—will see we have been able to deal with some of the most difficult issues and problems around the implementation of full funding for the separate school boards.

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In my view, the approach that would be taken here in terms of the other 16 separate school boards which are not extended, the approach that the Planning and Implementation Commission always takes and indeed must take by its mandate is that there is full participation, that the membership of the commission itself includes representatives from the different groups within the educational system and that there would therefore be a very full debate or discussion within the community before any kind of extension would be carried out. So I think it is important to underline that role of the Planning and Implementation Commission.

At the same time, there is, as my friend the member for London North has mentioned, underneath and underlying all of these proposed changes, the question of financing. All of us who have been through the recent provincial election know that is an issue of great concern to everyone in this province.

What we are doing here is marrying the principle of recognizing certain rights and privileges which have been brought to bear through the Constitution and through legislative acts by this assembly and ensuring that we do that in a way that is financially responsible. Clearly what is important here is to work carefully with the school boards so that there is a balance. If things are being shifted, if a

certain taxation base is being changed, it is imperative that the government work closely with the boards affected to make sure there is equality and equity as we go forward.

I think there is none the less a principle that is inherent in the legislation proposed by the minister, which is that we have started—far more than started—down the road from 1984 with the proposal for full funding of separate school boards, and we have to keep faith with that process and ensure that ultimately that option is there and available to those separate school boards that have not yet decided to take full advantage of that act.

If they choose not to do so, that is fine. In my view, what this bill does is set out a process and a way of approaching it which, in utilizing the Planning and Implementation Commission, will ensure that it is done fairly and equitably.

In terms of the determination of trustees, I think all of us who were here back in 1987 and 1988 certainly recall some of the difficulties we got into around the whole question of who is eligible and how the system will proceed, and I think it is important that we deal with that so that there is as long a period of time as possible, in this case from January on, to be able to ensure that we have that assessment system, that we have the determination of trustees set out in a way that nobody later on can come back and say it is unfair.

Clearly, there is going to be a need for very close work with local government officials, but I think that can be done and I believe that the court decision makes it imperative that we deal with that this fall.

All of those things then are very positive elements in trying to grapple with a number of real and long-lasting issues we have had before us. I think we need to come back again to remind the government around the issue of consultation. It is not a question of good intentions. Where so often we run afoul is, as we proceed in trying to develop the legislation and to discuss it, at times people get left out or they perceive that they have been left out.

One of the difficulties we have, as was mentioned earlier, is that a number of organizations, French- and English-speaking, separate and public, have been talking with various members in terms of trying to understand the legislation that is being proposed today and having a certain sense that they have not been consulted in as full a way as they would have liked.

If I hear clearly from my friend the member for London North, it is her view that this should be dealt with in this session. I think that is important and we believe that it should be dealt with in this session. If there is a way through the suggestion that she has made that would allow us to do that, I think we would be very supportive, and I think we can see some ways then of allowing people to set out their views but not affect the integrity of the principles that we are dealing with.

Whenever we are dealing with issues of language and religion it is very important that we almost bend over backwards, I believe, to make sure that people have had a say, because I think the points that have been raised by some of the associations, and again I want to reiterate, are not ones that deal with the fundamental principle, for ex-

ample, of supporting French-language rights but are some legitimate issues that arise in any piece of legislation around how things are done, whether we are discussing the issue of regulation or exactly the formulae for determining trustees and the like. I think we want to keep that always in the forefront of our minds so that we can have that genuine acceptance by people that what we are doing is right and good and proper.

I would like, in concluding my remarks, to note that we believe the principles in this bill are sound and important. With some changes, we believe they could be even better. But it is important that we proceed during this particular session, and if we can find a way to look at some of the components of the bill, I think it would be important to do that next week along the lines that have been suggested by our colleague the member for London North.

So if we can move on in that way, I think we can make sure that francophones and anglophones will then see that, through this legislation, their rights and privileges have been provided with greater support and foundation and we will be able to move to bring to a close, or almost to a close, this whole half-decade or more of discussion around funding on an equitable basis of the two public systems, if you like, that we have, the public and separate. That is, I think, to all of our advantage and will take us a further step down the road of recognizing the basic rights and privileges that we have as Canadians and Ontarians in this province.

The Acting Speaker (Ms Haslam): Questions and comments?

Mrs Cunningham: I am just taking a couple of moments here to reflect on what my colleague the member for York North has offered the House this afternoon. I believe he is a person of significant experience, as is the Minister of Education, in dealing with people and communities and establishing trust and confidence. I would say that he has brought a point to this debate that I did not underline. That was these reciprocal rights, both the English-language school boards and the French-language school boards and the importance of open communication.

I will add that there have been numbers of amendments to the Ottawa-Carleton French-Language School Board Act, it being, I believe, flagship legislation. I believe that on every occasion, those of us who represent the public across Ontario and our constituencies were able to discuss those amendments. I think that was why we did not have the kind of anxiety that is happening across this country right now, as the member for Sault Ste Marie reminded us, around both the Meech and Oka issues.

I will say that I did travel this province, for reasons known to many, and one of the issues was Bill 8. My colleagues from the NDP caucus, at that point in time, were very concerned about process. They were very concerned about our taking every opportunity we can to get the support in the beginning, before a crisis arises. I see the potential here for that kind of crisis if in fact we are not very careful in our process.

With respect to the minister, I understand what she is trying to tell us about the two school boards she mentioned

in Prescott and Russell and in Simcoe, and if in fact we are allowed to go to committee, which I believe we will be able to do, we will be speaking with the same kind of openness and concern that she has.

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Mr Martin: I just want to very briefly say that certainly we are all sensitive to the need for process and to do it properly. The concern I have is in our process, that it does not last for ever and there will be a beginning and an end, and that we choose at some point to decide on something and then we move with it.

I sense from my contacts, certainly with the French population of the provinces, that they decided they had waited long enough and they do not want to wait any more. In light of the historical moment right now—I think members understand what I am saying—it behooves us to move. However, I think the proposition put forth by the ministry at this point considers all of that and has come down with the position that will answer our needs and our fears.

The Acting Speaker: Does the member wish to reply?

Mr Beer: I think they were by way really of comment and there is no need to reply specifically. The point I think is simply that all of us want to deal with the issue and that we will have a way of doing that and ensuring that we can do it before the end of the present sitting.

Mr J. Wilson: I am pleased to be able to join the debate today on Bill 12 in particular, which allows for the creation of French-language school boards in Ontario by cabinet regulation and cancels the long-held practice of establishing school boards by legislation with open and extensive consultation.

Let me say from the outset that I am opposed to this bill both on procedural grounds and as to some of its contents. One of the problems with opposing a bill of this type is the label that can come with it. But let me assure this House that I am in favour of the extension of French-language education in Ontario where numbers warrant. But more important, I am in favour of sensible legislation that responds to a real need.

At the outset, I must commend the new government for showing remarkable consistency during its first kick at the legislative can. Bill 12 is following along the same flawed path as several other bills that this government has endeavoured to ram through this Legislature before we recess for Christmas. As a new member of this Legislature, I am appalled that this government has introduced so many significant bills in such a short period of time. We are sitting till midnight every night to try to have some discussion on these bills. We have absolutely no time to go back to our ridings and consult with our constituents, the very people who voted for all of us to be here. We are sitting very late. There are a number of interest groups we would like the opportunity to meet with and I think, with those remarks, it adds to the importance that this bill should go to committee.

I know there are a number of people in my riding—my phone has been ringing off the wall in the last couple of weeks since the minister made her announcement that she

was going to create two new school boards, one in Prescott and Russell and one in my area of Simcoe county. I very much believe that this bill should go to committee and that, contrary to what the member for Sault Ste Marie may have said, we need a great deal more time to discuss this.

This bill facilitates the creation of French-language school boards in Prescott and Russell and Simcoe county without any semblance of consultation with the people who are directly affected. Why form these two school boards now, when the bill creates a French-language education governance advisory group to set out the criteria for establishing these types of boards? The NDP government is creating new school boards now and then getting advice on how and where to create these boards later.

This is the most blatant abuse of the principle of common sense that I have ever known. I wonder what would happen if the government's own advisory group reported back to the minister next May with a set of conditions for establishing French-language school boards that runs contrary to the circumstances that led to the creation of a French-language school board in Simcoe county.

This is not an issue about preserving the French language or providing students with the opportunity to be educated in French. This is strictly an issue that pertains to an approach that has been conspicuously absent from this Legislature for the last five years. That approach is the application of common sense to legislation. If early signals are a true indicator, and I suspect they are, then this commonsense approach will once again be sacrificed on this government's agenda of political expediency.

When the minister announced the legislation on 14 November, she said in a news release, "The ministry will begin discussions immediately with interested parties in two counties of Ontario in which French-language governance is of pressing concern—Prescott-Russell and Simcoe counties."

At what point have we established the extent of the pressing concern in Simcoe county? I would venture to say that this concern cannot be based on numbers because only 2,000 of 50,000 students are French-language students, that is, 4% of the student population. This argument has merit in Ottawa-Carleton, where French-language students number 17,663. The minister's criteria cry out for definition.

The government must institute conditions and criteria for assessing the viability of establishing autonomous minority-language school boards. The costs to implement these autonomous boards and the viability of the education system and the impact on the existing system are vital factors that must be considered. I wonder if the minister has taken the time to meet with or read the mountains of correspondence that Fred Graham of Orillia has written to her ministry pleading for a commonsense approach to educational funding. I wonder if she is aware that 29 municipalities in Simcoe county have petitioned her ministry to conduct a comprehensive audit of the Simcoe County Board of Education.

Municipalities are not agitators, nor are they political terrorists. They are simply concerned that the educational portion of their taxes is escalating dramatically without

any tangible returns. No one disputes that education is crucial for the maintenance and prosperity of a society, but the average person in Simcoe county is not finding a fair return on his or her investment. What they are finding is an endless stream of administrative waste. The creation of an additional layer of bureaucracy in Simcoe county to accommodate only 4% of the student population only guarantees that this trail of administrative waste will expand.

I wonder if the minister bothered to consult with the city of Orillia, the towns of Alliston, Bradford, Collingwood, Midland and Wasaga Beach, the villages of Beeton, Coldwater, Cookstown, Elmvale, Port McNicoll, Tottenham and Victoria Harbour and the townships of Adjala, Essa, Flos, Mara, Matchedash, Medonte, Notawasaga, Orillia, Oro, Rama, Sunnidale, Tay, Tiny, Tosorontio and Vespra.

Did the minister ask any of them if they wanted another layer of bureaucracy lifted on to their shoulders? Obviously she did not, because they would have told her what they told me, that relief for overburdened taxpayers has to be the government's main priority. This is an issue which cannot be disputed.

How is the minister responding to the anguished cries of beleaguered taxpayers and overburdened municipalities? In much the same manner as her spendthrift cousins in the Liberal Party, this minister ignores the pleas of the average person on the street and says: "I will not keep my hands out of your pocket. I would rather do what is comfortable and expedient and dig a little deeper into your pockets in the name of pleasing yet another interest group."

The priority for this government must be tax relief, not further spending. This message must be sent out from the top to both ease and rein in the spending of local school boards. Taxpayers in Simcoe county have no quarrels with paying for education. However, they have a great deal of trouble subsidizing administrative excesses.

Is the minister aware that the Simcoe board spent \$13 million to construct an administrative centre which local taxpayers commonly refer to as the Taj Mahal? I recall during the campaign that the local NDP candidate made a great deal of hay of running around and reminding people that the Liberal government had allowed the local school board to build the Taj Mahal.

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Is the Minister of Education aware that taxpayers were forced to shell out an outrageous sum of \$17,000 to pay for the ceremony to officially open this Taj Mahal? Does the minister realize that in a time of deepening recession the Simcoe County Board of Education trustees voted to give their director and deputy director of education raises of over 10% in the next two years? This raise comes shortly after board administration staff were given 8% raises.

Last year at budget time the board demanded that taxpayers across Simcoe county pay about 13% more in property taxes. This year's tax bite promises to be significantly higher. Is there any doubt why all these municipalities who are simply voicing the concerns of

their ratepayers are pleading for a halt to this limitless tax bite?

But instead of agreeing to have the board undergo what is clearly a badly needed comprehensive audit, the minister says to these troubled municipalities, with her introduction of this bill, that they should be prepared to pay even more, because one way or another they, the local taxpayers, will have to foot the bill for the creation of a French-language school board in Simcoe county. They will have to pay to have an administrative structure oversee the operation of a school board with only 2,000 students.

When will this government send out the message that it wants to listen to people? I cannot support this bill because it has been put forward with absolutely no regard for the citizens of Simcoe county and in particular my riding of Simcoe West.

Let me read from a letter that was addressed to the Minister of Education, written by Mr Graham of Orillia on 2 October 1990, in plenty of time for the minister to have digested its contents, but I will refresh the memory of the minister and the members of the government.

"My involvement here is as a disenchanted, retired taxpayer who was requested to assist in this matter on a voluntary basis. What has triggered this action is that since 1988, which might be called the 'normal' spending year at the Simcoe County Board of Education, spending has soared at a breathtaking rate and in 1990 spending on operational functions is \$52 million, or 28% more than it was just two years ago.

"Since provincial grants increased by just a little more than \$5 million, the result has been horrendous increases in the education tax paid by property owners, with the total increase over 1988 being 29.7%. Since the wages of taxpayers have not increased by anywhere near these amounts, people are, of course, poorer and have less to spend. This reduction in spending ability is naturally felt by local businessmen and the ripple effect travels on."

What the NDP government is today telling Mr Graham and the hundreds of angry taxpayers who have called my office is that they can brace themselves for an even bigger tax hike because now they must fund an incomprehensible expansion of administration and more bureaucracy.

With only 4% of the student population listing the French language as their mother tongue, there is absolutely no legitimate ground for creating a French-language school board in Simcoe county based on the "where numbers warrant" argument.

Not only is the creation of an additional school board in Simcoe county difficult to understand, but the procedure through which boards will be created is undemocratic and an abuse of parliamentary tradition. Under this bill, new French-language school boards will be created through decisions by cabinet and will bypass the Legislature entirely. What this government is doing is suggesting that it knows best and that the will of the people does not matter.

But I guess this too is consistent with the fact that the government's Agenda for People—that is, its widely touted agenda that was brought out during the election campaign—is not worth the paper it is printed on because

that document stressed consultation and promised that the NDP would listen to the people.

Where is the consultation on this piece of legislation? If the government gets its way, only 16 days will have passed since the first reading of this bill to the time it becomes law. In the meantime, there have been no public hearings and there have been no government briefings in advance of its introduction.

In fact, I was shocked to come in after sitting in the Legislature one afternoon to find the press release on my desk indicating that the minister was immediately moving ahead to enter into consultations to establish a French-language school board in my part of the province. Where was the consultation? She did not even have the courtesy to give me a call and let me know it was coming down the tube. I am just astonished.

I immediately notified our local media, who knew nothing about it, and our school boards, who knew nothing about it. Since that time I have done my very best to cover the bases here and to get out to talk to those constituents who are extremely angry about this.

Let me say that not only do I disagree with the creation of a French-language school board in Simcoe county because the numbers simply do not warrant it, but I am fundamentally opposed to the neglect of the democratic process which has occurred in the wake of Bill 12.

The voters did not vote for insensitivity and the dangerous concentration of power in the hands of cabinet ministers. They voted for openness and freshness. As a result, I will not be supporting Bill 12 and I must say that I am not at all optimistic about the future direction of this province in the hands of this NDP government.

Finally, in summary, I understand as a result of the Supreme Court decision that there will be French-language boards established in communities where numbers warrant, but I do not believe that a 4% threshold, a 4% francophone student population, warrants the establishment of a new French-language school board in the county of Simcoe.

The interests of French-language students in Simcoe county would be better served through the French-language representation on the existing school boards. We do not need more administration, more bureaucracy, higher taxes and a new Taj Mahal.

Hon Mrs Boyd: The previous speaker clearly has not understood either the legislation or the announcement that was made. The announcement that was made was made on 14 November so I am surprised he found it on his desk in the Legislature since we were not sitting.

What it said was that the ministry was empowering members of the French-language education governance advisory group to negotiate with the people in Simcoe county and in Prescott-Russell to see whether the needs of those communities could be met through the foundation of a French-language school board. Those negotiations are ongoing.

This bill does not create a school board in Simcoe. What this legislation allows is that if that community comes to a negotiated agreement that is in keeping with

the Mahé decision, the ministry is empowered to enable that school board to be formed by regulation at this time.

Mrs Cunningham: On a point of appreciation, Madam Speaker: Can two of us go up from this party?

The Acting Speaker: On questions and comments?

Mrs Cunningham: Yes.

The Acting Speaker: Yes.

Mrs Cunningham: All right, two of us will and I am going to go first.

I would just like to make the point after my colleague's presentation this afternoon that I think he is an example of a member of this House who represents a community that has some very real concerns.

Whether or not the minister's comments are valid—and I am sure the member will speak for himself as he does so well—it does raise the question that people just do not understand what this announcement by the ministry and what this bill this afternoon really mean. What they really mean, and the minister has just given us her interpretation, is that after the commission has gathered its facts, it can then bring the facts back and the school boards will be created by the minister.

1710

I think that is why we are all concerned today, because in previous actions, although they took too long—we would all agree, as the member for Sault Ste Marie has pointed out over and over again, that it took too long; we are ready—I can tell members that if we proceed in this manner, this is just the beginning of the kind of anger that will take place if municipalities and school boards across this province think that the minister can just go ahead and create new school boards, whether they be English school boards for English-speaking students or French school boards for French-speaking students.

What we really need is to see the legislation in our hands and to take a look at it in communities, as we have done in the past. That is why this afternoon we heard a member of this House speak on behalf of the citizens in the way he did; it is because they are concerned about this legislation.

Mr Bisson: I understand what the member is saying, and I sympathize to a certain extent, but the thing is that I think we need to be careful when we talk about this issue. There are feelings, I understand, on both sides of the issue in regard to how people feel in relationship to their heritage either in the French community or the English community. But we need to be careful how we express and how we deal with it because it is a situation, as we have seen in the past, last winter, that could be very divisive. The danger that we face and are faced with today is in times of hard economic times, such as we are in right now, it does not take much for people to detract from the issue and to get upset and to try to blame somebody else for their problems.

The member should keep that in mind in regard to what she is saying. I understand what she is saying and I am sympathetic to the point that she makes, but she should keep in mind that it is something that as politicians—and I understand what the member for London North is saying, I

listened with great attention to her and what she said in opening up the debate. I take the points she made as being very constructive. The one thing that impressed me, and I just want to get on to that, is that during this whole debate she has sat there and she has listened to what has been said, and I have to commend her on that. But let's be careful when we talk on this issue.

There are two communities that are distinct within Ontario in regard to the official languages. We have rights within this community, both as anglophones and francophones, when it comes to education, and all that this bill does is basically bring forward those rights from what was in the Constitution and what was challenged and bring forward that not only are we able to get the educational language of our choice but we are also to have the governance of our own school boards. I see that as a very good thing and I applaud the government for that fact.

Mr J. Wilson: I too appreciate the comments from across the floor and I understand the sensitivity of the issue. I may be a new member of this Legislature but I was a political assistant for some seven years and dealt with minority-language groups extensively in my work, so I understand the sensitivities.

But I also understand that when the minister does simply issue a press release and when my local papers print it as not necessarily consultations leading to something else, print it as going to be the establishment of a French-language school board when only 4% of the student population has French as a mother tongue, that becomes a very powerful and direct message to the ratepayers of Simcoe county, who are already overburdened.

I think the key word is "communications," and that is why I do support sending the bill to committee. I do not want to see it rammed through before Christmas. I am sure even the Supreme Court would understand that with the sensitivities of this issue, it must be dealt with in a very consultative manner. There are other problems that the minister may want to address in Simcoe county and other school boards before even giving the impression of adding another layer of administration when there is no perceived need.

I think the minister may want to take a step back and address the issues that are there that we all heard in the campaign. We got it at every door, especially in Simcoe county because it had just built its Taj Mahal. The NDP candidate made one very large issue out of this in Simcoe county, because they had spent so much money on administration over the last few years. The new director of the public board in Simcoe county is now making upwards to \$114,000 a year. He makes more than the Premier, and that is including the car allowance and everything.

So there are all these issues. It is not your fault, Madam Speaker, but there are all these issues mixed into this very sensitive school board funding issue. I would ask the minister to take a very careful look at it.

The Acting Speaker: Further debate? The member for Cochrane South.

Hon Mr Pouliot: No more comments, Madam Speaker?

The Acting Speaker: No, I am sorry. The member for Simcoe West was within his time limit to finish the debate and now we are on to further debate and the member for Cochrane South is standing.

Hon Mr Pouliot: I want to commend you on your nomination. Very graceful indeed, Madam Speaker.

The Acting Speaker: Is that a point of information or a point of order?

Hon Mr Pouliot: I accept gracefully what I cannot change.

Mr Bisson: I must say this is an education every day sitting in this House.

Je suis ici, moi, en tant que francophone, en tant que député de Cochrane-Sud et en tant que représentant de toutes les communautés de ma circonscription.

Notre collègue de l'autre côté de la Chambre a dit justement dernièrement que nous, en tant que députés dans cette salle et dans cette Assemblée, on est dans une situation où on fait la représentation de toutes les personnes de notre communauté.

Mais je veux donner un petit exemple, comme francophone en Ontario — moi, je suis un Ontarien, je viens de la petite ville de Timmins, petit Ontarien qui est éperdu à Toronto en ce moment — et puis parler un peu de ce que ça veut dire cette affaire dont on parle et qui est le sujet du débat ici aujourd'hui. C'est une question personnelle pour un francophone.

L'affaire est que ça fait des années, ça fait depuis le temps que je peux me rappeler et le temps de mes arrière-grands-pères qu'on parle, en Ontario, de la question de l'éducation en français pour nos jeunes francophones de la province. C'est quelque chose qui a été étudié, dont on a parlé dans les coins de chambres, on en a parlé par-dessus les poêles à bois dans les années passées, on en a parlé dans les cuisines, on en a parlé en Chambre, ici à la l'Assemblée législative. On en a parlé à toutes les reprises possibles pour être capable d'en venir à une solution, quand ça vient, la question de l'éducation en français, mais pas seulement l'éducation, mais aussi la question, quand ça vient: «Qui va faire la gérance de nos écoles françaises ici en Ontario?»

Cette gérance, va-t-elle se faire faire par les membres de la communauté qui sont touchés par l'éducation elle-même? Ou est-ce que ce sera fait par d'autres membres de la communauté qui ne sont pas des représentants de la communauté francophone ici en Ontario? C'est ça le point qu'on débat ici aujourd'hui. Il faut que les députés gardent ça en perspective.

Que les députés s'imaginent être dans une situation comme en éducation, où on va dire aux jeunes: «Vous n'avez pas le contrôle d'être capable de donner les directives pour les critères, d'être capable de déterminer ce qui est important pour l'éducation de vos enfants.» Qui peut mieux faire ça que les francophones eux-mêmes?

C'est cette question dont on parle ici à l'Assemblée aujourd'hui. Moi, je suis fier d'être capable de me présenter ici, pas seulement en tant que député de cette

Assemblée, mais comme membre du gouvernement et fier d'appuyer l'initiative que le gouvernement a mis sur pied avec cette question-là.

Comme je l'ai dit, ça fait longtemps qu'on en a parlé. On en a parlé de l'autre côté de la Chambre à quelques reprises. Quoi qu'il arrive, on a besoin de faire plus de consultations. Oui, je suis d'accord avec les députés: c'est toujours bon d'avoir des consultations, c'est toujours bon de parler en communauté pour essayer de comprendre les deux côtés de la question. Souvent, il y a beaucoup plus que les deux côtés de la question. C'est bon de pouvoir s'asseoir, comme adultes, comme personnes de cette province, de ce pays pour regarder nos différences et essayer de trouver une manière de s'avancer comme une communauté unie ici en Ontario.

Il faut dire que je suis d'accord sur ce point-là. Mais quand on en vient à cette question-ci, je souhaite et je crois que ce que les députés disent est sincère et que ce n'est pas la question de seulement reprendre cette législation-là entre le projet de loi 12 et le projet de loi 13 et les ramener en comité pour ne pas revenir encore. Je suis sûr que ce n'est pas ça l'intention. Mais l'affaire est, comme les membres des communautés francophones qui viennent me voir en tant que député ici à l'Assemblée législative, veulent s'assurer, ils veulent avoir l'assurance que cette question-là va avancer.

Finalement, si les communautés elles-mêmes, si les personnes dans ces communautés-là décident que c'est avantageux d'avoir l'éducation en français par leurs propres commissions scolaires, que sur la fin de la journée ça va être leur décision à eux, pas ma décision à moi en tant que député représentant ma circonscription, pas seulement la décision de la ministre de l'Éducation, mais de la communauté elle-même, que dans une région comme Hearst, Timmins, Prescott et Russell ou n'importe quel endroit dans la province où il y a une assemblée des francophones de la communauté ils décident qu'ils sont capables d'avoir la gérance de leur propre commission scolaire. C'est une entente à laquelle eux-mêmes, comme membres de cette communauté, vont être capables d'arriver. C'est ce que le projet de loi me dit.

1720

Sur la question de la consultation, il faut regarder une affaire dont on a parlé il y a quelques minutes... Il faut que je donne des commentaires au député de York North. Il a montré un point qui est très important et il faut que j'appuie ce qu'il a dit: Oui, c'est la question que ce projet de loi-ci, ce n'est pas seulement la question d'un francophone quelque part en Ontario qui veut avoir l'accès à l'éducation en français et en même temps avoir la gérance de sa propre école, mais c'est aussi parallèle pour la communauté anglophone. Il y certaines communautés ici dans la province qui se trouvent dans une minorité dans des villes comme Sturgeon Falls, Cochrane, Hearst ou d'autre communautés. Dans la circonscription de mon ami le député de Lac-Nipigon, c'est la même situation où la majorité est francophone, dans les 80 % ou 90 %.

Une autre affaire que cette législation veut faire, c'est répondre à cette question pour les enfants anglophones et les parents eux-mêmes parce qu'elle est aussi important

pour les anglophones, cette question-là, qu'elle l'est pour les francophones. C'est important que les jeunes dans notre société aient l'occasion non seulement de faire leur éducation dans la langue de leur choix, mais aussi que la gestion de ces institutions-là soit faite par leur propre communauté. C'est ça la question.

L'affaire est qu'il y a le danger, comme je l'ai dit il y a une minute, qu'on peut prendre une situation, qu'on peut prendre cette question-là et on peut se retourner et se mettre en consultation pour encore une autre centaine d'années. Ce n'est pas pour dire que ce n'est pas bon d'en parler aujourd'hui et d'en parler dans l'avenir ; mais la question est qu'il faut commencer à faire des démarches. Il faut donner la présence à la communauté, le vouloir de la communauté et enfin lui donner le pouvoir d'être capable d'établir ses commissions scolaires eux-mêmes dans la langue de leur choix et avoir leur propre gestion.

L'affaire est que ce n'est pas la question que si ça ce fait, si la législation est mise en place, il y a un groupe qui restera en arrière. Moi, je ne regarde pas cette législation-là dans une situation où ça met les anglophones dans les parties de la province où ils sont en minorité, ou les francophones dans les parties de la province où eux sont en minorité et qui vont perdre leur droit. Non, ce n'est pas ce que cette affaire-là dit. Ça dit très clairement que la raison pour laquelle cette affaire-ci est mise en place aujourd'hui et qu'on fait le débat, c'est pour donner la chance à ces personnes-là dans leur propre communauté d'être capables de prendre les décisions quand il s'agit d'éducation dans leur communauté. Il faut également que je dise ça au gouvernement et qui a eu la perspicacité et d'être capable de mettre en place cette législation-là.

L'affaire est qu'il y a un autre point qu'il faut faire : c'est qu'il y a le groupe consultatif sur l'éducation en langue française qui est mis en place suite à l'annonce qui a été faite. La question est de continuer la consultation mise en place et amener des recommandations au ministère pour être capable de déterminer exactement comment ça va se faire à ce point-là.

La législation dont on parle aujourd'hui, le projet de loi dont on parle, ce n'est pas la fin de la question, ce n'est pas la fin de la discussion. La discussion va continuer une fois cette partie-là passée.

Il y a un point qui a été soulevé et qui est intéressant. C'est intéressant parce que je pense qu'il n'y a pas seulement de ce côté-ci de la Chambre qu'on se le demande, je pense comme toutes personnes dans la province, toutes personnes de tous les partis qui se le demandent, c'est que le monde — il faut regarder sur la feuille qui est enterrée ici — le député de Simcoe West a émis un point et a dit comment cela peut être dangereux si les gens ne comprennent pas exactement ce qui est en train de se passer, que ça peut être un danger parce que les gens ne comprennent pas tout ce que le gouvernement essaie de faire. C'est un point qui est très approprié. Il faut que je donne mon appui au député sur ce point-là.

Un des problèmes qui arrive, et je sais que le député le remarque lui-même en tant que politicien, c'est que plusieurs fois il y a des représentations qui sont faites, des fois des médias, des fois par d'autres groupes avec

l'intention de donner un peu de confusion dans la situation. Je pense que la réponse que le ministère a donnée était exactement ça. Beaucoup de fois, et on le sait comme politiciens, l'histoire n'est pas rapportée de la manière prévue et ça sème la confusion. Là, comme politicien, que je sois de n'importe quel côté de la Chambre, on est dans une position pour dire : «Une minute, là, la vérité c'est ça.»

Moi, je pense que ce qu'on essaie de faire ici, on le fait d'une manière assez progressive. Ce n'est pas la question que, aujourd'hui, ce sera la loi et personne n'aura rien à y redire. On donne la chance de pouvoir amener des recommandations aux ministres eux-mêmes. Après cette question-là, que les communautés elles-mêmes prennent la décision. C'est ça le processus de gouvernement. Le gouvernement, ce n'est pas un processus où ici il y a un gouvernement et c'est seulement lui qui va prendre les décisions et les gens, dans le fond, de toutes les classes de la société, n'ont rien à redire dans l'affaire.

Je pense que cette législation donne un bon modèle dans la situation où on dit qu'on prend ces pouvoirs et on donne aux communautés elles-mêmes la possibilité d'être capables de déterminer comment cette question-là sera réglée.

Avec cette affaire-là, je félicite le gouvernement. C'est une question où oui, il y a eu de bons points qui ont été faits de chaque côté de la Chambre ; l'affaire est que ce sont des points qui sont très bons et qui sont les bienvenus de la part des députés de l'autre côté. C'est quelque chose qu'on a besoin de faire pour pouvoir s'asseoir ensemble, comme députés de chaque côté de la Chambre, comme les personnes dans la communauté, s'asseoir pour essayer d'avancer pour finalement reconnaître qu'il y a un fait francophone dans la province. On donne la possibilité aux francophones et aux anglophones minoritaires dans leur communauté de pouvoir faire la distinction à savoir dans quelle langue ils veulent recevoir leur instruction et qui sera responsable de la gestion de leurs écoles.

L'hon M. Pouliot: Monsieur le Président—

The Deputy Speaker: The member for London North.

Mrs Cunningham: With due respect to the member for Lake Nipigon, who is trying so hard this afternoon to get his two cents' worth in, we can hardly wait, and he is not even smiling. He used to be so pleasant when he was on this side of the House.

Having said that, in seriousness, I will compliment the House this afternoon and the members here. I think all of us realize the importance of this legislation and all of us are honestly expressing our concerns.

I would say to the member for Cochrane South, whom I listened to intently, that one of his comments was that the community wants to decide. They want this to be their responsibility. I think that is what he said. He can correct me later when he gets his two minutes.

The point is he wants to be assured that we can go forward, and so do we. What I am saying is that to go forward with a clear understanding of what is happening is to put into print all of the concerns, all of the areas of

government that must go with such a complicated—and it is complicated and if it is going to work, people have to clearly understand.

What are we talking about here? We are talking about the jurisdiction of the full board and sectors of the board. We are talking about the attendance of students. We are talking about the French-language school support. We are talking about the duties and the powers. We are talking about the qualifications of the members. We are talking about finance, the resolution of disputes. We are talking about the transfer of employees from the public board to the French-language board.

The speaker then went on to say he did not think the anglophones would be disadvantaged. That is the problem. We do not know. But if we go ahead and write it into law and then take it out for consultation, after of course the recommendations for this have been put forth, then everybody clearly understands what the rules are. That is the problem with the present process, which by the way is a break in tradition.

1730

L'hon. M. Pouliot : Moi aussi j'ai écouté avec attention mon ami et collègue le député de Timmins qui, lui, a su dresser un bilan concernant le projet de loi 12 et le projet loi 13. Il a su rappeler aux députés de l'Assemblée législative de l'Ontario que cette communauté francophone, souvent esseulée, quelquefois démunie, qu'on leur devait, qu'on nous devait collectivement de légiférer pour donner à cette communauté la chance d'être comme les autres, cette chance sous le soleil, ce lieu chez nous, ce lieu chez vous pour qu'un jour bientôt, à la grandeur de la province, la francophonie puisse dire, fièrement debout : «Chez vous, eh bien oui, on se sent chez nous.»

La Cour suprême, elle, a su le reconnaître à l'unanimité. Eux, ils ont compris ; eux nous ont dit : «Oui, notre place sous le soleil, ça devait se faire.»

Donc, qu'on arrête de nuancer, avec tout le respect qu'on doit à nos amis du Parti conservateur, nos amis du troisième parti. On sait trop bien quand on nuance que c'est une invitation souvent à revivre certains éléments qui ont été souvent néfastes et qui nous font mal, qui nous ont fait mal au point où on a commencé à perdre l'espoir qu'un jour nous aussi ce serait à notre tour.

Mr Speaker, the low priority that the opposition chooses to give the very important and vibrant portfolio of mining puts me in the very awkward position of being among the last people to congratulate you on your nomination. I have done so privately on many occasions, but I too want to echo and want to voice my congratulations.

The Deputy Speaker: Unfortunately, your time has expired.

Hon Mr Pouliot: We will do it together, Mr Speaker. As I conclude my remarks, join my congratulations to the many you are receiving on a well-deserved posting. May you enjoy a very long and fruitful tenure.

The Deputy Speaker: I must remind the House that I did not do that purposely in order to hear what he had to say.

M. Beer : Il faut vraiment, je pense, remercier nos deux députés qui viennent de parler. Je pense d'abord à mon collègue le ministre. Imaginez, Monsieur le Président, dire, aujourd'hui «le ministre». La seule chose que je n'ai pas vue durant son discours ce sont ses mains. On se rappelle, à l'autre session, ses mains qui étaient toujours en train de plonger dans l'eau. Peut-être que plus tard, on va voir —

Interjection.

M. Beer : C'est ça.

Mais je pense que la chose qui est importante et que notre collègue le député de Cochrane-Sud et notre collègue le député de Lac Nipigon ont soulignée c'est que les francophones de cette province sont des francophones de l'Ontario et du Canada bien sûr, mais ils veulent être chez eux ici en Ontario. C'est leur droit.

Je pense qu'après tout, c'est ça que l'on essaie de faire. Nous avons dit qu'il y a ces deux groupes linguistiques et nous voulons voir, dans notre province, le respect pour ces deux langues et voir des francophones vivre en Ontario parce qu'ils veulent être des Ontariens et des Canadiens.

Donc, en assurant qu'ils peuvent avoir une instruction dans leur langue, on va, en effet, appuyer ce principe. Donc, c'est pourquoi on dit : «Vive les francophones de l'Ontario !»

Mr J. Wilson: I just want to say to the member for Cochrane South that I very much enjoyed his address. I know he is very sincere in representing his constituents and the francophone community in Cochrane. But I think where his colleague made a comment, where we fail to come from is perhaps on two points.

In spite of the Supreme Court's decision, I think common sense on this would say, and I say this to the minister, that we must address some of the real financial problems that currently exist in our school board system, both public and separate. Certainly in my riding, as the member must have in Cochrane South, we have facilities that are badly in need of repair and we have over 300 portables in Simcoe county.

I guess it begs the question of who pays for it. That is certainly one of the top questions that my constituents are asking me, "Is the Ontario government going to take money away from other programs or funding that otherwise might have gone to the current system and use that money to fund an additional administrative centre, transportation and a number of other things?"

I think, second, the important thing is that we of this party ask that the government does not bypass the Legislature in creating such important instruments as school boards for our children and for our families and for our society. I would just stress that point.

As I say, I respect, as the member for Cochrane South said, that francophones want to feel fully part of Ontario society and they want to feel at home in Ontario. From the bottom of my heart, we wish that for everyone, but we want to stress that a commonsense approach would say that we have to consult, we have to cost these things out. We should address current problems that exist.

1740

Le Vice-Président : Au député de Cochrane-Sud, il reste deux minutes à votre disposition.

M. Bisson : Merci.

M. Poirier : Monsieur le Président —

Le Vice-Président : Vous avez un rappel au Règlement ?

M. Poirier : Non, j'avais —

Le Vice-Président : Non, voici, c'est que nous avons déjà eu quatre orateurs qui ont répondu à la question du débat. Alors, le député de Cochrane-Sud est le dernier.

M. Bisson : Il y a un dicton anglais qui est très approprié à ce moment-ci : «La façon dont on traite une minorité veut tout dire de la manière dans laquelle on réagit dans une province ou dans un peuple vis-à-vis des autres personnes de la province.»

Les points qui ont été faits par le député de York North étaient quelque chose qui est très émouvant pour moi, soit pour un député de l'autre côté de la Chambre, comme toutes les personnes de la province, de pouvoir dire les choses qu'il a dites avec conviction. Ça me donne de l'espoir et de l'esprit, en tant que francophone de la province, qu'il y a encore de la volonté et qu'il y a encore des possibilités. C'est quelque chose qui est très apprécié et je remercie le député.

Il y a quelque chose qu'il faut garder en perspective, quelque chose dont nous n'avons pas beaucoup parlé : on est dans une situation comme celle-là dans le pays où on regarde où le pays s'en va dans l'avenir.

La question de l'accord du Lac Meech qui est arrivé l'année d'après, la situation qu'on a concernant le Québec et le restant du Canada, je pense que c'est la situation où l'Ontario peut faire preuve de leadership sur cette question-là et montrer l'exemple que oui, dans une société, ce n'est pas seulement de la parlotte si on dit : «Oui, les francophones, on est les bienvenus dans la province et les anglophones sont les bienvenus dans la province de Québec ou n'importe où dans le Canada», mais pour montrer la manière dont on fait nos affaires dans cette province-ci. Ce n'est pas seulement qu'on en parle, mais qu'on fasse bouger les choses. C'est un message qu'on a besoin d'envoyer qui est très clair.

L'autre affaire est, quand vient le temps d'obtenir les sommes nécessaires pour être capable de mettre en place ces programmes-là, que ce soit possible. Ça va coûter un peu plus cher, mais c'est de l'argent qui est bien dépensé, parce qu'on ne peut pas mettre un prix sur l'instruction d'un enfant ici en Ontario ou n'importe où dans la province parce que ça, c'est un droit.

M. Poirier : J'ai trouvé ça intéressant cet après-midi, écouter certains des arguments pour ou contre le projet de loi. Certains des arguments que j'ai entendus m'ont rappelé des débats antérieurs. Il semblerait que, à travers le temps, peu importe le numéro de projet de loi, certains des mêmes arguments pour et contre arrivent.

Je voudrais m'attarder quelques minutes, pas trop longtemps, sur certains des arguments contre, ou du moins les questions que l'on soulève chaque fois que la

communauté franco-ontarienne désire mettre en place son propre conseil scolaire.

Je veux faire un parallèle un peu, parce que j'ai siégé, il y a quelques années, au comité qui étudiait le projet de loi 75 ayant trait à la gestion pour les Franco-Ontariens de leurs institutions scolaires.

Je me rappelle que certains de mes collègues du troisième parti qui siégeaient à ce comité avec moi — des bons amis à moi — soulevaient la question : «Quand le Québec va donner à sa communauté anglophone, peut-être que nous en Ontario, serons prêts à donner la même chose à la minorité franco-ontarienne.»

Cet argument-là, on l'a souvent entendu, le député de Cochrane-Sud ne croit-il pas ? On l'a souvent entendu dans le passé et même malheureusement on l'entend toujours encore aujourd'hui.

J'ai offert à mes collègues du troisième parti à ce moment-là d'aller faire une virée au Québec et d'aller poser des questions, toutes les questions que l'on voulait poser, pendant tout le temps qu'on voulait bien, à la communauté anglophone du Québec, autant du secteur public que du secteur séparé.

Ils m'ont regardé un peu drôlement, connaissant le mouvement duquel je venais avant d'être député. Je leur ai lancé l'invitation : «Allons-nous-en au Québec où nous n'allons interviewer que des gens de la communauté anglophone. Vous pourrez leur poser toutes les questions directes que vous voulez bien. S'il vous manque des questions, ça me fera un plaisir de vous en fournir.»

À ce moment-là, on a commencé à rencontrer, une journée à Montréal, une journée à Québec, des représentants de la communauté anglophone, des gens qui, heureusement pour eux, jouissent de leur pleine gestion scolaire depuis 1867, une chose que nous essayons toujours d'établir pour les francophones de l'Ontario. Ça s'en vient, je suis certain, avec la pleine collaboration du gouvernement de madame la ministre. Ça s'en vient, ça a été bien entamé par nous et ça va sûrement avancer encore plus avec le NPD au pouvoir.

Je me rappellerai des questions, mais aussi des attitudes de mes collègues anglophones de l'Ontario lorsque les réponses des élus scolaires anglophones du Québec sont arrivées. On avait créé pour cinq anglophones, pour cinq qui préféraient avoir leurs propres institutions, leur propre système de gestion scolaire pour ne pas être avec les francophones ou avec les autochtones, par exemple à Shefferville, pour cinq on a créé ça sans problème, sans question, sans question de coûts, sans question à savoir : «Ont-ils le droit, oui ou non ? Est-ce que c'est économique, oui ou non ? Est-ce que c'est faisable, oui ou non ?» Pas de questions posées. Cinq anglophones là ; dix là, quinze là ; vingt, quarante, soixante en dépit d'avoir eu, dans ces années-là, un gouvernement péquiste qui avait le mandat de séparer le Québec du Canada. Jamais n'a-t-il été question de coûts, jamais n'a-t-il été question de savoir s'ils étaient 1 %, 2 %, 3 %, 4 %. Pas de questions posées.

Je n'oublierai jamais les regards que mes collègues du troisième parti m'ont lancés quand les réponses sont arrivées à leurs questions au Québec. Je n'oublierai jamais la surprise sur leur visage. «Mon Dieu, Seigneur, ce n'est

pas ce qu'on pensait. Mon Dieu, Poirier, tu semblais savoir ce que se passerait, ce qu'on répondrait au Québec, ici.»

J'ai eu la satisfaction d'entendre mes collègues du troisième parti me dire en plein hall de l'hôtel où on demeurerait à Québec à la fin de nos séances : «Merci de nous avoir suggéré de prendre le temps de venir au Québec pour poser les questions à la communauté anglophone, parce qu'on s'aperçoit que ce n'est pas le cas en Ontario.»

Nos gouvernements respectifs n'ont pas traité les Franco-Ontariens de la même façon de laquelle les gouvernements successifs du Québec ont traité la minorité anglophone que je salue et que j'admire.

Au moment où on se parle, est-ce qu'il devrait y avoir des conseils scolaires dans des endroits comme à Simcoe que je connais très bien ? — Mes bons amis de Penetang et Lafontaine que je connais très bien ? Est-ce qu'il devrait y avoir, oui ou non, un conseil scolaire géré par et pour les francophones de l'Ontario ? En ce qui me concerne, la question ne se pose même plus quand on peut comparer ce que les Anglo-Québécois ont.

Statistique Canada démontre, lors du recensement de 1986, que malgré de la bonne volonté, malgré des projets de loi autant du fédéral que du provincial, le fait demeure que la communauté franco-ontarienne fait face à un taux d'assimilation de 30 % par génération.

Ce que j'aimerais entendre de mes collègues anglophones au Parlement aujourd'hui et à l'avenir, surtout en 1991 quand le Canada va faire face à son année définitive à savoir quel sera son avenir, s'il y aura un avenir dans ce pays tel que nous le connaissons, c'est de démontrer au reste du Canada, de démontrer aux francophones du Canada, du Québec mais surtout à ceux et celles de l'Ontario que l'on est prêt à ne plus questionner leur droit de s'autogérer. Avec un taux d'assimilation de 30 %, il faut donner à la communauté franco-ontarienne les moyens de survivre, de vivre et de s'épanouir ici en Ontario, parce qu'on n'est pas des pseudo-ontariens. Je suis un Franco-Ontarien de la quatrième génération.

On a célébré, l'année passée, en Ontario, le 350^e anniversaire de l'arrivée des communautés franco-ontariennes en Ontario. Quand l'ancien gouvernement nous disait qu'en Ontario on a célébré un soit-disant bicentenaire en 1984, je trouve ça intéressant que la communauté franco-ontarienne en 1989 célébrait son 350^e anniversaire.

Ça fait 350 ans qu'on est établi ici ; on est Franco-Ontariens à part entière. Si le gouvernement veut ajouter à notre possibilité de nous autogérer pour prendre notre place encore plus pleinement et de réduire le taux de 30 % d'assimilation qui existe dans les communautés francophones — parce que dans le passé, les gouvernements n'ont pas voulu comprendre et donner à la communauté franco-ontarienne les outils dont elle avait besoin pour survivre. Bien, bon Dieu je pense qu'en 1990, s'il y a quelqu'un qui est prêt à comprendre ceci, je le salue et je le remercie.

J'espère que mon bon ami le député de Simcoe-Ouest a pu écouter et comprendre que les communautés de Simcoe, Prescott et Russell et ailleurs — ce n'est pas un luxe qui est proposé mais c'est une nécessité globale dans le Nord, dans le Sud et dans l'Est — tous les anglophones,

mes amis anglophones de l'Ontario qui pourront comprendre ceci et nous appuyer dans cette démarche-là, j'enlèverai mon chapeau et je les saluerai.

Mrs Marland: The member for Cochrane South said that it is hard to put a price on the education of children in Ontario. That is exactly what we are talking about in this discussion today. We are talking about the education of all children in Ontario. The thing that concerns me is that in the region of Peel, over half the children in the Dufferin-Peel separate school board are in portables.

What we have to say is, let's deal with an issue that is fair to all the communities and be sure that all the communities are always involved. When we look at dealing with process, our concern with this bill is simply that everybody knows—there have been a lot of references this afternoon to Meech and Bill 8. The thing that happened with Meech and Bill 8 is that the process went off the rails. Everybody who complained in this House about what went on in Ottawa was complaining about process. That is simply what we are saying here today.

We are saying, do not give any single government, regardless of what party that government is, the right to do something by regulation that involves entire communities and certainly involves the total budget for education in this province. We are not saying that we disagree with the intent of the bill. We are simply saying that if we are going to create French-language school boards in this province, it must be through legislation that the entire Legislature is involved with, not by regulation where any single government can arbitrarily ignore the process of involving the whole community and that whole process can be changed by individual governments, not entire legislatures.

M. Bisson : Je pense que ce qu'il faut comprendre, quand on parle de la question de coûts, j'aimerais faire remarquer au député de Mississauga-Sud que, premièrement, pour l'éducation d'un enfant ici en Ontario ou n'importe où, si l'enfant est dans le système scolaire séparé ou dans le système scolaire francophone ou dans le système scolaire public, ce sont les mêmes dollars. On va garder ça en perspective.

La deuxième question c'est que possiblement, en certaines situations, ça va donner qu'on va avoir besoin d'une gestion séparée. C'est possible. Par exemple, s'il y a deux commissions scolaires dans une communauté qui sont requises parce que le vouloir de la population veut mettre en place une commission scolaire francophone gérée par les francophones, c'est possible qu'il y ait un coût un peu plus élevé accordé à cette commission.

Mais la question qu'il faut regarder c'est que ce n'est pas de l'argent qui est jeté à l'eau. C'est l'investissement de nos jeunes pour l'avenir de cette province-ci. Ce n'est pas comme prendre de l'argent et de le jeter à l'eau ; c'est de l'argent qui est très bien dépensé.

Le député de Prescott et Russell a fait un point qui est très important. Ça fait des centaines d'années au Québec que les anglophones minoritaires dans cette province ont des droits que nous, ici en Ontario, en tant que francophones, on demande depuis 150 années. Ce n'est pas quelque chose qu'on demande qui est exorbitant. C'est la

question, c'est quelque chose qui est donné pour les anglophones minoritaires au Québec, alors pourquoi pas ici en Ontario ?

Je pense que c'est ça une partie du problème. On dit qu'on a besoin d'avoir la compréhension des deux bords. Je pense qu'au Québec, ils ont compris cette question-là. Ici en Ontario, il faut regarder que le fait francophone dans la province est une réalité. Ça fait des centaines d'années qu'on est ici et on ne va pas partir ; on est ici pour tout le temps. C'est aussi simple que ça.

1750

Mr Sterling: I think we should be fair in terms of dealing with this piece of legislation. One of the problems of some of the French-language boards which have been created in this province is that they cannot deliver education at the same price as public school boards. I understand that in the city of Toronto, for instance, it costs over \$10,000 per French-language student whereas it costs somewhere in the neighbourhood of \$6,000 for an English-language student or a student of the public board or the Catholic board. That is the truth. Why then should we create more expensive mechanisms if in fact the mechanisms that are there are taking care of the needs of the students, be they English, French or otherwise?

What we are concerned about in this party is that there should be justification on the part of the government when it wants to create a francophone board that it can do it in an economical way, that the taxpayers of this province are going to have to pick up the tab and that each student, be he English or French, be treated equally.

What we have seen in the Toronto area is that francophone students are privileged students. Their education system is spending \$10,000-plus per student whereas the anglophone student is only having some \$6,000 spent. Therefore, we have an unequal system, which is not proper and fair to the people of the province and their children.

All we are asking is that the government, when it wants to create a board, come back to the Legislature and have a discussion about whether there is a need, and then we will give it that sanction if in fact the need is proven. That is what we are here as elected politicians to do.

Mr Curling: I think this is one of the most important bills presented in this House since it has opened. I am extremely concerned when I hear members, especially from the third party, talk about costs to educate individuals in this province.

Mrs Marland: You tell that to your taxpayers.

Mr Curling: The reason the cost is high today is the neglect in the past. If we continue to neglect most of the past, the cost will go up. Regardless, as soon as we present this, then we start measuring if it is \$10,000 or \$15,000 or so. I am appalled that members who are looking at this bill today are saying, "Oh, I think they are privileged people." I think each individual in this country, each individual in this province is privileged. They are special people to be dealt with in a special way.

Mr Sterling: Give us a break. What hogwash.

Mr Curling: Of course they are very upset. Of course they have had a head start in this situation. For a long time

some of the privileged people have had their opportunities in this world. It is almost like developing some of the Third World countries. There is more to be put into this. People who have been neglected have got to be addressed and looked at very carefully.

I say to the French-speaking school board too that there are other areas to look at. There are individuals who are French who still feel outside of being Franco-Ontarians, and as we develop the school board, we must make sure that they are also included.

M. Poirier : Bien, ça confirme un peu ce que je disais dans mon discours : ça revient souvent à une question de coûts.

Évidemment, desservir un groupe qui est minoritaire, qui est plus restreint en nombre, ce n'est pas le même coût mais la question se pose encore. Je n'ai jamais entendu une fois, dans toutes mes discussions avec mes amis parlementaires du Québec et de Hull d'ailleurs également que je rencontre régulièrement...

Pourtant, au Québec, ce n'est pas une question de coûts de desservir la communauté minoritaire de langue anglaise. Même les Péquistes disaient : «Jamais de problèmes. Tu as des besoins à exprimer. Tu nous envoies la note et on va s'occuper d'avoir un système complet pour les 5 anglophones-là, les 10, les 15, les 20, les 40.»

C'est évident que desservir cinq, dix ou quinze anglophones dans un édifice séparé, distinct avec tous les services, ce n'est pas le même coût que de desservir 500 francophones.

C'est évident que le coût pour desservir les francophones de Toronto et d'ailleurs dans une situation minoritaire, par personne, n'est pas le même pour le nombre de la majorité anglophone de Toronto.

Si on regarde le Canada, nos deux langues officielles, nos deux groupes de cultures distinctes, si on commence à parler de coûts parce que les Anglo-Québécois coûtent trop cher et que les Franco-Ontariens coûtent trop cher, on est aussi bien de laisser de côté le principe de ce qu'est le Canada.

Si certaines choses coûtent plus cher au Canada comparativement aux États-Unis, c'est parce qu'on offre beaucoup plus, au Canada, de qualité et de quantité de vie que chez nos amis voisins, que je respecte beaucoup. Si on commence à s'attarder aux coûts des minorités anglophones du Québec et francophones de l'Ontario, on ne finira jamais. Si on commence à questionner le coût de faire un pays appelé le Canada avec le respect de ses deux groupes linguistiques, anglophones et francophones, bien selon moi ça ne vaut pas la peine de continuer d'en parler. On est aussi bien de fermer les livres. Ce n'est pas une question de coûts, c'est une question de qualité et de quantité de services et de respect d'autrui.

Mrs Witmer: I rise today to express my objections to the government's introduction of Bill 12 and Bill 13 on 4 December. These bills do contain very substantial changes to the Education Act. I recognize that these bills introduce changes in French-language education in Ontario to reflect the Supreme Court's ruling of March 1990. Also, I recognize that all three parties agree that Ontario must proceed

with the creation of additional French-language boards of education where numbers warrant. However, this must be done in a manner which is sensitive and recognizes the concerns of all people in this province.

However, these bills would greatly increase the power of cabinet. They would greatly increase the power of government bureaucracy to control the future direction of school board expansion in this province, and they would establish government by regulation and not legislation. I find it interesting that while the Premier was in opposition he repeatedly voiced his opposition to government by regulation.

These bills would decrease the autonomy of local school boards, and thus the local taxpayer, since there would not be full consultation with the local community. We must remember it is the local taxpayer in this province who pays the largest share of educational cost.

Today, boards of education are created by statute, after bills have been brought forward before the House and referred to committees for public consultation. This process of consultation has always been extremely important for the local educational community. What is being suggested in these bills is a new way to create school boards that totally eliminates, disregards and bypasses the process of consultation with the public. I find this shocking. This Premier stated repeatedly, both during and after the provincial election, that his government would herald the beginning of a new consultation process. The Premier stated that he would not introduce initiatives without as broad a system of consultation with the public as possible. Now we learn that there will be no public consultation on these bills to create new school boards. There will be no consultation with the local communities; it will be done by cabinet decree.

I am concerned by the government's intent to rush these bills through the legislative process to become law within a period of only 16 days. I am also appalled that this legislation was tabled without warning or discussion with those in the educational community, those people who will be impacted by this legislation. To me, it demonstrates a lack of sensitivity to their concerns.

I would like to remind the minister that we need to be sensitive to the concerns of everyone in this province, whether English or French. Why did the Minister of Education introduce these bills without issuing a ministerial statement, without any briefing and without any advance notice? This is what has contributed to the misunderstandings. Why was there not careful scrutiny and a preliminary opportunity for input before these bills were introduced?

1800

I have heard from boards of education and organizations and individuals who are very concerned about the impact of this legislation. They are aware of the time constraints that the minister is under and they are prepared to participate in the process that would allow the francophone community its school boards. However, they are only asking for the opportunity to consult and be involved in the decision-making. Why has that not happened? If these advance briefings, discussions and notice had taken place,

the concerns of all individuals and school boards and organizations in this province could have been addressed before the bills were introduced in this House. Why, I ask, did this not take place?

Furthermore, it has been brought up several times this afternoon that the creation of these new school boards does have financial implications for all taxpayers in this province. In the past five years, the cost of education in this province has skyrocketed as the previous government mandated one initiative after the other and heaped the tax burden on the local taxpayer. Indeed, taxpayers throughout this province are expressing their outrage at the increase in education taxes in recent years.

I ask, has the minister undertaken financial impact studies? Has the minister had discussions with school boards regarding their concerns? Has the minister asked the French-language community if it is in favour of the boards which she is proposing? These are some of the questions which must be answered if this government is truly committed to treating all people in this province with fairness.

I support and our party supports the creation of French-language school boards in this province. However, what I object to and, I would like to emphasize, I object to very strongly, is the process that was used to introduce these bills. I am appalled and I am very disappointed that there was no prior notice, there was no public consultation and there was no study of the financial impact. I urge the Minister of Education to refer these bills to committee, where public consultation can take place, the public consultation that the Premier of this province promised not only before but also after the election.

Mrs Marland: I think we have to be very clear about what it is we are talking about here. These bills give this NDP government extraordinary powers to create new school boards in this province. They can create new francophone or French-language school boards in this province without any consultation whatsoever. It may well be that there are communities in this province where numbers warrant and that those communities may in fact want French-language school boards, but these bills give the NDP government the power to create them without any consultation.

The Deputy Speaker: I want to clarify. Are you debating or is it a question or comment? The clock was not working.

Mrs Marland: It is comment, Mr Speaker, and I am losing some of my time.

The Deputy Speaker: I will be just and I will give you a minute and a half.

Mrs Marland: Thank you. If the NDP government believes in even half of its campaign platform, then surely it wants to practise equity, and what we are looking at here is a totally inequitable process. That is our concern.

Since when can governments on their own by regulation make that kind of commitment of creating a totally new school board? Since when is that going to be in the best interests of any community in this province, without coming back through the realistic process of consultation

with the communities, the existing school boards in the communities whose mandate it is to provide equal opportunity for education to the students who live in those communities, and more than that, coming back to the Legislature and letting everyone in the Legislature approve that kind of funding and that kind of priority? Since when can we give a government the power through regulation within its ministry to create a new school board?

I simply say that in this day and age when we have had a demonstration of this decision being made, these bills being introduced with no prior consultation, no public—

The Deputy Speaker: Your time has expired.

Mr Martin: Bill 12 gives the minister the power to establish new French-language school boards by regulation in order to allow this to happen expeditiously and, in a year that is not an election year, in case the conditions do not coincide with the years in which regular school board elections are held.

This is an interim measure only, designed to allow the minister to meet the commitment made on 14 November 1990. After the French Language Education Governance Advisory Group has made its report to the minister and appropriate statutory amendments based on the recommendations of FLAG are developed, the regulatory provisions will be repealed.

Within that piece is the offer of rather extensive consultation with the province and the communities that will be impacted directly. I ask as well that the members of the House develop a sense of trust that we will make that process really happen and that any input that is given is listened to sincerely. That will be reflected in decisions that are made.

Mrs Cunningham: Just to add to the comments this afternoon of the member for Sault Ste Marie, I appreciate what he just said, but the real problem with the statement is that he is responding to just one part of this bill. When I stood here earlier today in this House, I talked about the other two parts, one to do with the replacement of trustees that was mentioned by the member from Brampton and the other one, which I think is rather significant, the precedent set up by the minister and the discussions around the Haldimand-Norfolk situation.

In fact, I would say to the minister that maybe the process in Haldimand-Norfolk was a very successful one. Maybe the extension of Bill 30 under the circumstances with negotiations with that board was a good one. Maybe it worked there, but I would say that contained in this same bill is a process or a change to the Bill 30 promise. I am just saying that the school boards have not been consulted. We have had four calls in the last hour saying that they have not been consulted, and there are some 16 other boards that may be affected, and by this bill alone they have not had the opportunity for consultation.

Just in closing, I would say that we have already had the experience in this province of two French-language school boards that took much too long. Yes, they should have happened much more quickly, but as I listened to my colleagues talk this afternoon about wanting to be at home here in this province, I would say that the comments from

this side of the House very much share that view. We want to be at home here in this province.

To the Franco-Ontarian communities, I can only say that I believe that one of the problems as we went across this province through the discussions of Meech Lake—and I sat on the committee around that; I also sat on the committee on Bill 8—was a process problem. People did not know the rules ahead of time, and I think each and every board ought to know for their board what the rules are.

1810

Mr Sterling: It is amazing. We went through a process last June dealing with the Meech Lake accord, and the people of Canada and the people of Ontario felt that they had not been consulted with regard to that whole process. We heard in the election and in the past two years how many people in Ontario were grieved at the fact that they were not consulted about Bill 8. It amazes me that the former government—the Liberal Party, the opposition—and the new government of the New Democratic Party have not learned their lesson. People in this province and in this country do not want new boards created without proper consultation.

This Bill 12 in particular is nothing but a repeat of the experience of Bill 8. The people of Ontario do not want it, and I believe that when the time comes for us to be consulted again, many of the members in this Legislature will be asked, as we were in the last election, whether or not we supported Bill 8. We are going to be asked the next time whether or not we supported Bill 12.

When these school boards are created without consultation, their creation is going to cause more friction, more hostility than if the NDP, as government, came back to this Legislature, fully consulted with the elected representatives of those areas and brought forward legislation in a proper form to set up school boards, as we have in the past.

That is why we are opposing this legislation. We believe the new government has not learned anything from past mistakes and is making a terrible mistake in bringing this bill forward.

The Deputy Speaker: Does the member for Waterloo North wish to use the two minutes she has?

Mrs Witmer: No.

Hon Mrs Boyd: We have heard a lot about there being no consultation on this issue. Frankly, that really angers me, because there has been discussion and discussion and discussion about the issue of French language rights in this province. It has been a most difficult one, and it has been held in many different areas.

The promise that was made to the francophone community in 1988, that before the 1991 school board elections this province would comply with the Supreme Court decision which assured francophone parents the right to govern the education of their own children, was not met by the last government. We took office on 1 October and had very little time in which to comply with that promise and with that obligation under our Constitution.

There seem to be those in this chamber who still want to fight out whether constitutional rights are guaranteed in

this province. I think we need to be very clear that the Constitution is there to protect us all. The same rights that apply to francophones apply to anglophones, and in this very delicate issue of deciding on school board formation we are concerned to make sure that both language groups are guaranteed their minority rights. In one of the school boards we are discussing, Simcoe, the minority group happens to be francophone; in the other school board district, Prescott-Russell, the minority group happens to be anglophone. This ministry is equally concerned that the minority rights of both language groups be protected. We are equally concerned that those who are either the minority or the majority in those communities are given the opportunity to express their views and to see whether those communities can co-operate with each other with having a minority-language section to their school board.

We have decided upon a process for those two boards which, yes, is outside of the process we set up of consultation under the French Language Education Governance Advisory Group. That is quite true, but we did it so that those communities which have been waiting for a very long time would not be in the position of having to wait another three years until the 1994 election; and that is the effect of delaying this bill. We need to be extremely clear that these are communities that have waited a long time. They have been frustrated in their attempts to provide for their children the kind of education they choose and have a right to choose under our Constitution, and they have been frustrated in their attempts to have the government give them the kind of consideration that all of us deserve under the Constitution and the Charter of Rights.

So one of the issues we are facing is the whole problem of trying to bring in a bill which would cover all eventualities around French-language governance. We anticipate doing that as soon as the French Language Education Governance Advisory Group, under which public consultation was begun on 14 November, reports, and I have asked it to report by 15 May. At that point we can bring in a bill which would stop the piecemeal creation of education bills in this province.

The opposition seems to think it would be perfectly fine for this province to have an education bill that would cover every school board. We do not think that is practicable, and we believe it is possible for us, following the report of the French Language Education Governance Advisory Group, to come up with a bill which would cover all circumstances under which any further boards would be formed and would indeed meet the criteria which the opposition and the third party are suggesting. That is certainly our intention. But if we wait until that consultation goes forward, we will be denying to these two communities which are ready, which have signalled they are ready, the right to go ahead. It would prevent them, given the timetable of the election, which the third party is very well aware exists.

The communities have not yet reached a negotiated settlement, and until they do we are not prepared to foist on them a bill creating this. We have two negotiators from the French Language Education Governance Advisory Group working with both those communities to determine

whether those communities can come up with an agreement under which a French-language board would be formed. We are simply saying that we require this enablement at this time. It is certainly our intention that once the French Language Education Governance Advisory Group reports—and once, of course, we get this legislation through this chamber, which certainly in the past has not been empathetic to groups that have been looking for this kind of right—then we will be able to repeal the regulatory powers that are included in this act and to indeed go forward with an omnibus bill that would cover any French-language board that is formed after that point.

The issue for us as a government is to keep the promises made by the previous government and to keep our own promises in terms of the formation of these boards so that they can participate in the elections in 1991. That, in terms of that part of the bill, is all that is intended. We have already made a commitment which is very clear and strong and are already working on a consultative process across the province to take place in a number of cities. The timetable is being arranged now to have consultation in communities. It is not our position that we would want to create a school board. We have this process whereby communities themselves will decide whether they wish to have a school board created, and they will give us a proposal. That proposal will have been hammered out in the local community by the folks there, it will outline what the arrangements are financially and in numbers. That, we think, is enough protection for those communities to feel that we are not overstepping our bounds but that we are according them with what they want within the timetable of the 1991 election.

With respect to the other issue raised by the critic for the third party, again I would say that she has not read the section of Bill 12 carefully. In that bill, we are strictly saying that we would allow the extension of all years of Roman Catholic secondary education only where it is by means of purchase of an agreement with another board, and this that would be done only when the Planning and Implementation Commission that was set up under Bill 30 has done its work of consultation within the community and the agreement has been reached by the two boards.

1820

There is no lack of consultation here. There is no change. The only change we are asking for is to enable a board that has managed to hammer out an agreement with its coterminous board to offer all years of education. It is to change the fact that this was a phased-in process under the act, and that is all it is. Where a community has agreed that it ought to be able to do that and there is agreement by both boards, we are listening to those communities. We are listening to the consultation we have done there and we are enabling them to come to that agreement if they so choose.

With respect to the Haldimand-Norfolk situation, that is exactly what occurred. The PIC has already done its work. The communities have made an arrangement and, frankly, this bill simply gives us the legislative authority to do what that community has come to us and asked us to do.

The other issue we are listening to from the third party is the question of cost. Believe me, no one in this chamber is more concerned about the cost and the distribution of the cost of education than the Minister of Education. It is a very onerous responsibility I have assumed at a time when—there is no question, and I make no excuse for saying in this House—the funding of education is a major concern of all of us in this province and certainly none more than our party.

What the members of the third party do not seem to understand is that although minority rights do cost us money, we as a country, by enshrining minority rights in our Constitution, have all taken on the responsibility of ensuring that those rights are real. That does cost us money; there is no question.

This party is saying very clearly that where parents and children, by virtue of being francophone or anglophone, are in a minority and desire governance over their own school system, this party will respect those rights and this party is prepared to pay the cost of that. We believe the citizens of Ontario understand that is one of the obligations we have all taken on as citizens of this country.

Of course, it is in our interests to try to minimize those costs as much as possible, to try to ensure that communities have made an agreement that is going to be as cost-effective as it can be.

I would remind the member for Simcoe West that francophones in this country pay school taxes too, and that in areas where francophones are the majority they carry the minority English-rights students. It will cost us a lot to provide minority English rights in Prescott-Russell, but it is our commitment, as it has been since Bill 30 was put in, that minority rights will be protected and that we will not see the minority-language groups lose the quality of education, whether those minorities are anglophone or francophone.

When we start talking about cost, it is very important for us to recognize that in some parts of this province the minority is anglophone and in some parts of the province the minority is francophone, and the policy must apply equally to whichever they are. Certainly I as a taxpayer and, I am sure, other members of this chamber are quite prepared to pay our share to protect minority rights in this province.

It will not be attractive to many communities where there is a substantial number of either anglophone or francophone parents to choose to form a minority language rights board. We do not expect that many communities will find that something they want, because it does duplicate the efforts; it is something that does not appear to be an economy of scale. But where French-language sections of boards have found that they are constantly being denied their rights by the majority section of the board, we cannot expect those minority sections to continue to deal with the situation when they know they have legal recourse to change it. One of the things we as a government are trying to do is to set social policy very clearly outside the courts rather than have the courts make our decisions for us. That is happening far too much in this country. We do not want to see that happen, where boards are ready to proceed and

know they have the right to. We as a government want to enable those boards to be able to do it.

I would urge the passage of this bill on second reading, and I would ask my colleagues in this chamber to signify by their vote their support for minority language rights in this province.

The Deputy Speaker: If members recall, it was agreed at the beginning that both Bill 12 and Bill 13 would be debated at the same time. Is it the pleasure of the House that we move to second reading of Bill 12 and Bill 13 at the same time?

Agreed to.

1833

The House divided on Mrs Boyd's motion for second reading of Bill 12 and Bill 13, which was agreed to on the following vote:

La motion de M^{me} Boyd pour la deuxième lecture des projets de loi 12 et 13 mise au voix, est adoptée :

Ayes/Pour—61

Abel, Allen, Beer, Bisson, Boyd, Buchanan, Callahan, Carter, Christopherson, Churley, Cooke, Cooper, Coppen, Curling, Dadamo, Drainville, Duignan, Elston, Ferguson, Fletcher, Hansen, Haslam, Hope, Huget, Jamison, Johnson, Klopp, Kwinter, Lankin, Lessard, Mahoney, Malkowski, Mammoliti, Marchese, Martin, Mathysen, Mills, Morrow, Murdock, S., North, O'Connor, O'Neill, Y., Owens, Perruzza, Philip, Phillips, Pilkey, Poirier, Poole, Rizzo, Silipo, Sutherland, Swarbrick, Ward, B., Ward, M., Wark-Martyn, White, Wilson, G., Winninger, Wiseman, Ziemba.

Nays/Contre—15

Arnott, Carr, Cunningham, Eves, Harnick, Jackson, Marland, McLean, Murdoch, B., Sterling, Stockwell, Tilson, Turnbull, Wilson, J., Witmer.

Bills ordered for standing committee on social development.

Les projets de loi sont déferés au comité permanent des affaires sociales.

Hon Mrs Boyd: Mr Speaker, pursuant to section 72 of the standing orders, I would like to ask that the five-day waiting period be waived in this case.

The Deputy Speaker: Is there unanimous consent? Agreed to.

1840

CORPORATIONS TAX AMENDMENT ACT, 1990

Ms Wark-Martyn moved second reading of Bill 10, An Act to amend the Corporations Tax Act.

Hon Ms Wark-Martyn: This bill, entitled An Act to amend the Corporations Tax Act, is a very long and complicated piece of legislation. I am sure members who have read the bill would agree. I understand this bill was ordered for debate on relatively short notice and I sympathize with members who had wanted a little more time to digest it. I also note that the opposition critics have not been briefed on this bill. A briefing is available at their convenience. I do not expect many complaints from the

opposition, as these are tax policy changes that were announced in the budget proposals of the past three years.

It is only fair to corporations and taxpayers which have been complying with these policies since 1988 that we wrap up these loose ends. I want to address the most important changes from past budgets.

The R and D superallowance was announced in 1988 to encourage scientific research in Ontario. This deduction is available to all corporations for expenditures for research and development in Ontario.

The Ontario current cost adjustment deduction for the purchase of new manufacturing and processing equipment used in Ontario was announced in the 1988 budget. The deduction was extended to new pollution control equipment purchased after 17 May 1989. The 1990 budget increased the rate for the deduction from 15% to 30% of asset cost. This applies to equipment that was acquired after 1990; after 1991, only pollution control equipment will qualify for this deduction.

The other amendments include: a capital tax rate increase for loan and trust corporations; decreased flat rates of capital tax for many smaller corporations; the phase-out of the tax holiday for newly incorporated companies, and the introduction of a resource allowance for mining companies. All items were announced in the 1988 budget and are effective after 20 April 1988.

This bill also includes a general anti-avoidance rule to protect the tax base by preventing tax abuse and contains provisions to prevent avoidance of Ontario capital and premium taxes. The general anti-avoidance rule allows any tax benefit to be denied where the transaction arose solely to avoid paying taxes.

This is a complex and important document. We need to be fair to those corporation-tax payers who have been complying with some of these changes since 1988.

Mrs Y. O'Neill: I am pleased to be able to participate in this debate on the second reading of Bill 10. I thank the minister for her promise to arrange a briefing at my convenience, because this is indeed a complex bill.

The taxation policies of this government, of the NDP, are no secret to the people of Ontario. The oft-quoted Agenda for People has, as its first major heading shouting out at us, "Minimum Corporate Tax." Bill 10 is indeed not minimum corporate tax.

As recently as 8 May 1990, the now Treasurer asked in this very chamber a question of the member for Brant-Haldimand, our present interim leader and the former Treasurer. He asked on that occasion: "How does the Treasurer justify not bringing in a minimum corporate tax this year?" Bill 10 does not even breathe one word about the oft-touted minimum corporate tax.

I would like to bring to the attention of the House a number of quotes from Hansard from the present Treasurer, the Treasurer of this government, referring to Ontario's tax policy, a tax policy we are now being presented with as this government's tax policy. The then member for Nickel Belt described that government's policy—the policy, I repeat, that is being presented today—as "an amazing tax system," a "truly awful tax system," an "incredible tax regime," to mention but a few

of the superlatives of that day. On another occasion, the present Treasurer accused the previous Treasurer of "perverse" tax policies.

However, Bill 10, the Corporation Tax Amendment Act, is another bill introduced by this government which is a direct pass-through, a direct procession from the previous Liberal government, and indeed that makes me satisfied and contented. I want to remind members that this is the second tax bill in as many days that has no new major incentives, even though this government was most critical of the previous government in all of its tax policies.

May I remind the House that we are now in different economic times? The spring of 1990 was indeed very different from winter 1990, yet this government is adopting, word for word, tax policies of the previous government, which it criticized over and over again with such strong protests such a very short time ago. I said yesterday in the debate on Bill 11 that we are into a recession, possibly even a deep recession, yet we are presented here in Bill 10 with initiatives taken by the previous government during a time when Ontario's economic health was much brighter.

I would, however, like to point out some specific aspects of this legislation which I think will be of interest to the business sector in Ontario, especially to the small-business sector.

First, this bill eliminates the necessity of filing a tax return for 200,000 small corporations that will meet certain exemption criteria. That will indeed save many taxpayers time and money. For that I commend the present minister. That is good.

The new section 12a in section 5 of the bill implements the 1988 budget proposal for a research and development superallowance. This is a direct deduction from income based upon current and capital expenditures. This deduction, available to all corporations no matter what their size, is equal to 25% of qualifying research and development expenditures incurred in Ontario. Canadian-controlled private corporations may claim a deduction of 35%. Certainly that is a popular move. It is a move by Ontario's government from which I think other governments could take example.

Companies whose expenditures in research and development exceed their three-year average expenditure in this area can increase the deduction by a further 50%, a very courageous and certainly needed initiative. These provisions encourage companies to spend money on new technologies, and we all know that is one way to enliven the economy. These companies can invest in the future of Ontario and they can reap the benefits and put their stimulus into the economy.

The provisions of the bill that deny benefit for any transaction undertaken that is primarily to avoid tax, or discourage other tax abuses, I also feel deserve comment.

In contrast to those good initiatives, I do find some things that are certainly confusing and I think backward. The proposals I refer to now are those that have to do with implementing Ontario current cost adjustment, known as OCCA. This is a direct deduction from income otherwise subject to tax in Ontario, and is calculated as a percentage of the tax depreciable cost of new manufacturing and

processing machinery and equipment used in Ontario. This move was made to improve our competitiveness, encourage capital investment in Ontario, strengthen the Ontario economy and create jobs for Ontarians. In 1989, the Ontario budget presented by the previous government included this. The previous government extended the OCCA to include pollution control equipment in 1989. Also at that time, the rate was increased to 30% from 15% for the reasons I have just stated: incentive, jobs and economic stability.

A policy decision was announced most recently that has confused me. This new government is changing the position of the OCCA grants. They are being phased out so that after 1991 only pollution control equipment will be covered, the greening of Ontario. In his statement to the Legislature on 4 December of this year, the Treasurer said, and I presume he was thinking of all parts of the economy when he said this, "Providing a stable climate for business planning and investment is also an important objective in good times or bad." Yet the same man, our Treasurer, the Treasurer of the NDP government with this statement as his backdrop went on to say, "While I believe that the OCCA has a useful role to play in stimulating investment during the recession, it is not clear that it provides the most cost-effective or strategic incentives necessary for our long-term economic wellbeing."

1850

As far as I know, there were no impact studies, no usage or review on which the Treasurer based these statements. That is why I am confused and worried that something that has been put out for only three years now is withdrawn with very little notice or study and, I think, very little concern.

I would urge the Minister of Revenue, the member for Port Arthur, to continue to try to convince the Treasurer and help him understand what I have just brought to the attention of this House: that by taking away deductions for the purchasing of new equipment, we are really taking money out of the pockets of small business people right across this province. It is certainly my opinion that it is not a very effective way to stimulate the economy or the economic wellbeing of this province. It is not good planning. It is not good policymaking. It is certainly even more needed that we make these decision with good planning and good policymaking at a time we are often labelling a tough time.

This decision to change the stimulus to small business, the incentives that were presented but three short years ago, sends a very negative message to the business community, especially the small business community. In this bill, in this initiative, the Minister of Revenue is taking money out of pockets, money that could be turned to purchase equipment from manufacturers here in Ontario that supply the business community. This initiative can only have a negative effect on job creation and on our economic development. By the Treasurer's own admission the OCCA has provided or will provide an estimated \$160 million in tax-based support for business investment in manufacturing and pollution control equipment in Ontario, \$160 million in tax-based support, a creative initiative, and

yet it is being discontinued when everyone in Ontario is looking for policies that will stimulate the economy.

The policies that this government has announced today are sorely lacking in their efforts to assist the small business community in this province. They are another thorn. They are now being discouraged at this moment, at this time of winter 1990, from purchasing new equipment by this bill, Bill 10.

As some of my colleagues in this House said during last night's long session, small businesses are owned by real people, and the people who own and operate small business in this province of Ontario are the engine of the economy of this country. But these same people, the people who are the supporters and owners of small businesses, are being given no reason to be optimistic about how well this government, the government that says it is the government of the people, will be representing them. There is very little optimism about how they will be assisted, how they will be encouraged and how they will be supported. Bill 10 certainly gives them no more reason for confidence or sense of security.

The Premier said over and over again, right across this entire province, that he was going to make a real difference on taxes, that he was going to create a fairer tax plan, a fairer tax policy. A minimum corporate tax is indeed the very first item in the Agenda for People.

Bill 10, like the two bills I have already spoken on, Bill 1 and Bill 11 which have already been completed in this process, is but a small step. Bill 1, Bill 10 and Bill 11 are all very hesitant to make very much in the way of a dent in what could be a very creative and stimulating tax policy.

This government has been given the broad opportunity to serve the electorate of this province. Indeed, in the words of the Premier yesterday or the day before, they have been granted the stewardship of this government and this province. In that stewardship they certainly could be making giant steps on behalf of the people of this province, giant steps to stimulate the economy at a time of need.

Now more than ever before, we need creative tax policies that do seem to stimulate, encourage and support those who are in the business community, and thence the labourers of this province. We are on the brink of entering the 21st century. Surely each member of this House, including the Premier, the Minister of Revenue and all in the cabinet of the NDP government, as with other members in this House, want to do that and want to leave a legacy for our children of a healthy employment picture and a strong economy for this great province.

For that reason, I have to feel very disappointed and somewhat discouraged that in three tax bills presented in the last three or four days in this House we have seen so little in the way of imagination. It comforts me that the tax policies of the Liberal government have been received by this government with such gusto, but I think times have changed and government has changed, and I really do feel we could be a little more creative. We certainly could be a little more sensitive about the way in which we could stimulate the economy and encourage the workers and business people of this province.

The Acting Speaker (Ms Haslam): Questions and comments?

Hon Ms Wark-Martyn: The member for Ottawa-Rideau commented on Bill 10 not being what she was expecting from our government. I think the member for Ottawa-Rideau understands that this bill has to be passed. These are 1988, 1989 and 1990 budget proposals that our corporations community has been living with, and they have to be passed. I do not know of anyone in this House who would stand up and say not to pass them, who wants to go back and tell the corporations that we were not going to put through these pieces of legislation when they are already living by them.

The minimum corporate tax was in our Agenda for People and it is something we will be looking at. It is something we have talked to the business community about already. They are informed of that. Some of them have agreed to work with us on that and it will be something we will work on in our Fair Tax Commission.

The previous government had many tax policies, too many tax policies, that it was not able to get through in its lifetime as a government. I am sure I will pass on to the Treasurer, the member for Nickel Belt, the member's concerns about the Ontario current cost adjustment, but we also must keep in mind that this program was for larger corporations and that many small businesses would not qualify for that program anyhow.

The member said she worried about the legacy for our children. I had to question that as I watched the tax bills that the former government tried to get through the Legislature while it was in government and questioned what it was worried about at that time.

1900

Mr Stockwell: I think the first thing we should realize is that this is exactly what was stated, a harmonizing bill to simplify the tax process in some instances. It is nothing to do with the party position of the New Democrats. They found themselves in the position of having to adopt this because it needs to be in place. In fact, some of the items within this piece of legislation are older, I think, than the length of time some of the members have sat in this House on the government side. I think we can go back to some of these documents and take it to 1988—in fact as far back as 1987—when these were first introduced. If I could find my notes, it would make it a lot easier.

The measures proposed in the bill are already in force so they are in fact being lived within by the present corporations. I do not think the government is doing anything that is going to be considered outrageous, extravagant, anything that is new. It certainly is not what we would suggest is a change of course in the Agenda for People. Nothing they have done has been a change of course for the Agenda for People. It is simply establishing in law what already exists in fact. I think that is the basic here.

What actually would be kind of interesting is that it will probably be the last piece of legislation brought forward by the NDP that gives corporations a break, so I

think it will be a historic piece of legislation that this House is debating now, because frankly, from the Agenda for People, that document that some of those people do not read, there are some points included about minimum tax and so on that appear to me to be a little tougher on corporations. This one in fact is doing just the opposite, so I think there will be a smattering of applause out there from the corporations in Ontario. They will be extremely pleased that the NDP read what the Liberals were doing and incorporated it. Again, it is nothing that our party is going to find much difficulty in adopting.

As I said, the harmonizing part of the bill simplifies it, which is very good today, particularly for small business. Simplifying any of the tax acts would go a long way to resolving a lot of issues they have with respect to accountants and audits and so on. In small business, it is an expenditure that is a lot larger than a lot of people think. I know at first hand that the expenses for legal advice and accounting advice are very expensive and anything that can go about reducing that cost is money in their pockets; it is found money. There is no need to buy a product. It is just money that would have been profit that you are paying out to professionals for expert advice.

One of the changes that is included is depreciation with respect to machinery. That is another good portion of the bill. As far as I am concerned, when this was brought forward, although we did not have an opportunity to be briefed by the ministry staff, it has been around for such a long period of time that our research people almost quoted it verbatim without ever reading the piece of legislation. So it seems to me to be something that is overdue.

I think the Liberals have mentioned minimum corporate tax and so on and so forth. This really is not one of the government's planks. I hope it is not one of its planks. It is not one of the positions it ran on. It is simply doing some housekeeping—"housekeeping" being the word, because as I said before all, these positions in here are pretty much lived by now. That is the way their taxes are filed and the government is just legalizing something that needs to be legalized.

We can support it. We will still be interested to see the government's Fair Tax Commission's report back to us. It will be interesting to read exactly what it thinks will need to be done in the future. I think it is good for corporations. I think we can applaud this piece of legislation and we will in fact support it.

Hon Ms Wark-Martyn: I would like to thank my critic over there from the third party for supporting this. I am sure he will be interested in the Fair Tax Commission. I am sure everybody over there and over here will be interested in the 1991 budget proposal that our friend the Treasurer will introduce in March 1991. I thank him and I encourage support from the other side of the House for this bill.

Motion agreed to.

Bill ordered for third reading.

BUSINESS OF THE HOUSE

Hon Mr Cooke: On behalf of the government House leader, I would like to indicate the business schedule for next week.

On Monday 17 December we will do second reading of a bill concerning the city of London. We will then go into committee of the whole for consideration of Bill 1, An Act to amend the Retail Sales Tax Act. Then we will go in committee of the whole for Bill 14, An Act to amend the Employment Standards Act with respect to Pregnancy and Parental Leave. We will continue in committee of the whole House on Bill 15, An Act respecting Land on Manitoulin Island, Barrie Island and Cockburn Island. We will continue in committee of the whole with Bill 16, An Act to amend the Municipal Elections Act and certain other Acts related to Municipal Elections. We will then go

to second reading of Bill 4, the Residential Rent Regulation Amendment Act.

We expect we will complete debate on second reading of that act late on Monday night and defer the vote until Tuesday, after which we will debate second reading of Bill 17, An Act to amend the Law related to the Enforcement of Support and Custody Orders.

On Wednesday 19 December we will debate the motion for interim supply and do third reading of Bills 9, 10, 11 and perhaps the London bill.

On Thursday we will do third reading of Bills 1, 12, 13, 14, 15 and 16, second and third reading of private bills approved by the standing committee on regulations and private bills, and other matters to be discussed and announced by the House leaders.

The House adjourned at 1907.

ERRATUM

No.	Page	Column	Line	Should read:
67	2499	2	49	Mr Henderson moved first reading of Bill 21, An

ALPHABETICAL LIST OF MEMBERS

(130 seats)

First Session, 35th Parliament

Lieutenant Governor: Hon Lincoln M. Alexander, PC, QC

Name of member	Constituency	Party	Other responsibilities
Abel, Donald	Wentworth North	NDP	
Akande, Hon Zanana L.	St Andrew-St Patrick	NDP	Minister of Community and Social Services
Allen, Hon Richard	Hamilton West	NDP	Minister of Colleges and Universities, Minister of Skills Development
Arnott, Ted	Wellington	PC	
Beer, Charles	York North	Lib	
Bisson, Gilles	Cochrane South	NDP	Parliamentary assistant to the Minister of Mines, parliamentary assistant to the Minister of Northern Development
Boyd, Hon Marion	London Centre	NDP	Minister of Education
Bradley, James J.	St Catharines	Lib	
Brown, Michael A.	Algoma-Manitoulin	Lib	
Buchanan, Hon Elmer	Hastings-Peterborough	NDP	Minister of Agriculture and Food
Callahan, Robert V.	Brampton South	Lib	
Caplan, Elinor	Oriole	Lib	
Carr, Gary	Oakville South	PC	
Carter, Hon Jenny	Peterborough	NDP	Minister of Energy
Charlton, Brian A.	Hamilton Mountain	NDP	Parliamentary assistant to the Minister of Energy
Chiarelli, Robert	Ottawa West	Lib	
Christopherson, David	Hamilton Centre	NDP	Parliamentary assistant to the Minister of Economics
Churley, Marilyn	Riverdale	NDP	Parliamentary assistant to the Minister of the Environment
Cleary, John C.	Cornwall	Lib	
Conway, Sean G.	Renfrew North	Lib	
Cooke, Hon David S.	Windsor-Riverside	NDP	Minister of Housing, Minister of Municipal Affairs
Cooper, Mike	Kitchener-Wilmot	NDP	
Coppen, Hon Shirley	Niagara South	NDP	Minister without Portfolio, Chief government whip
Cordiano, Joseph	Lawrence	Lib	
Cousens, W. Donald	Markham	PC	
Cunningham, Dianne E.	London North	PC	Chief whip
Curling, Alvin	Scarborough North	Lib	
Dadamo, George	Windsor-Sandwich	NDP	Parliamentary assistant to the Minister of Transportation
Daigeler, Hans	Nepean	Lib	
Drainville, Dennis	Victoria-Haliburton	NDP	Parliamentary assistant to the Minister of Citizenship
Duignan, Noel	Halton North	NDP	
Elston, Murray J.	Bruce	Lib	House leader
Eves, Ernie L.	Parry Sound	PC	House leader
Farnan, Hon Mike	Cambridge	NDP	Solicitor General, Minister of Correctional Services, minister responsible for the provincial anti-drug strategy
Fawcett, Joan M.	Northumberland	Lib	
Ferguson, Will	Kitchener	NDP	Parliamentary assistant to the Minister of Municipal Affairs
Fletcher, Derek	Guelph	NDP	Parliamentary assistant to the Minister of Consumer and Commercial Relations
Frankford, Robert	Scarborough East	NDP	Parliamentary assistant to the Minister of Health
Gigantes, Hon Evelyn	Ottawa Centre	NDP	Minister of Health
Grandmaître, Bernard	Ottawa East	Lib	
Grier, Hon Ruth A.	Etobicoke-Lakeshore	NDP	Minister of the Environment
Haeck, Christel	St Catharines-Brock	NDP	Parliamentary assistant to the Minister of Colleges and Universities
Hampton, Hon Howard	Rainy River	NDP	Attorney General
Hansen, Ron	Lincoln	NDP	

Name of member	Constituency	Party	Other responsibilities
Harnick, Charles	Willowdale	PC	
Harrington, Margaret H.	Niagara Falls	NDP	Parliamentary assistant to the Minister of Housing
Harris, Michael D.	Nipissing	PC	Leader of the Progressive Conservative Party
Haslam, Karen	Perth	NDP	First Deputy Chair of the Committee of the Whole House
Hayes, Pat	Essex-Kent	NDP	Parliamentary assistant to the Minister of Agriculture and Food
Henderson, D. James	Etobicoke-Humber	Lib	
Hope, Randy R.	Chatham-Kent	NDP	Parliamentary assistant to the Minister of Community and Social Services
Huget, Bob	Sarnia	NDP	
Jackson, Cameron	Burlington South	PC	
Jamison, Norman	Norfolk	NDP	Parliamentary assistant to the Minister of Industry, Trade and Technology
Johnson, Paul R.	Prince Edward-Lennox-South Hastings	NDP	Parliamentary assistant to the Chairman of the Management Board of Cabinet
Jordan, Leo	Lanark-Renfrew	PC	
Klopp, Paul	Huron	NDP	Parliamentary assistant to the Minister of Agriculture and Food
Kormos, Hon Peter	Welland-Thorold	NDP	Minister of Consumer and Commercial Relations, Minister of Financial Institutions
Kwinter, Monte	Wilson Heights	Lib	
Lankin, Hon Frances	Beaches-Woodbine	NDP	Minister of Government Services, Chairman of the Management Board of Cabinet
Laughren, Hon Floyd	Nickel Belt	NDP	Deputy Premier, Treasurer of Ontario and Minister of Economics
Lessard, Wayne	Windsor-Walkerville	NDP	Parliamentary assistant to the Minister of Financial Institutions
MacKenzie, Hon Bob	Hamilton East	NDP	Minister of Labour
MacKinnon, Ellen	Lambton	NDP	
Mahoney, Steven W.	Mississauga West	Lib	Chief whip
Malkowski, Gary	York East	NDP	Parliamentary assistant to the Minister of Citizenship
Mammoliti, George	Yorkview	NDP	Parliamentary assistant to the minister responsible for the provincial anti-drug strategy
Mancini, Remo	Essex South	Lib	
Marchese, Hon Rosario	Fort York	NDP	Minister of Culture and Communications
Marland, Margaret	Mississauga South	PC	
Martel, Hon Shelley	Sudbury East	NDP	Minister of Northern Development, government House leader
Martin, Tony	Sault Ste Marie	NDP	Parliamentary assistant to the Minister of Education
Mathysen, Irene	Middlesex	NDP	
McClelland, Carman	Brampton North	Lib	
McGuinty, Dalton	Ottawa South	Lib	
McLean, Allan K.	Simcoe East	PC	
McLeod, Lyn	Fort William	Lib	
Miclash, Frank	Kenora	Lib	
Mills, Gordon	Durham East	NDP	
Morin, Gilles E.	Carleton East	Lib	Parliamentary assistant to the Solicitor General
Morrow, Mark	Wentworth East	NDP	Deputy Speaker, Chair of the Committee of the Whole House
Murdoch, Bill	Grey	PC	
Murdock, Sharon	Sudbury	NDP	Parliamentary assistant to the Minister of Labour
Nixon, Robert F.	Brant-Haldimand	Lib	Leader of the Official Opposition
North, Hon Peter	Elgin	NDP	Minister of Tourism and Recreation
O'Connor, Lawrence	Durham-York	NDP	Parliamentary assistant to the Minister of the Environment
Offer, Steven	Mississauga North	Lib	
O'Neil, Hugh P.	Quinte	Lib	
O'Neill, Yvonne	Ottawa Rideau	Lib	
Owens, Stephen	Scarborough Centre	NDP	
Perruzza, Anthony	Downsview	NDP	
Philip, Hon Ed	Etobicoke-Rexdale	NDP	Parliamentary assistant to the Minister of Revenue
			Minister of Transportation

Name of member	Constituency	Party	Other responsibilities
Phillips, Gerry	Scarborough-Agincourt	Lib	
Pilkey, Hon Allan	Oshawa	NDP	Minister of Industry, Trade and Technology
Poirier, Jean	Prescott and Russell	Lib	
Poole, Dianne	Eglinton	Lib	
Pouliot, Hon Gilles	Lake Nipigon	NDP	Minister of Mines, minister responsible for francophone affairs
Rae, Hon Bob	York South	NDP	Premier, Minister of Intergovernmental Affairs
Ramsay, David	Timiskaming	Lib	
Rizzo, Tony	Oakwood	Ind	
Runciman, Robert W.	Leeds-Grenville	PC	
Ruprecht, Tony	Parkdale	Lib	
Scott, Ian G.	St George-St David	Lib	
Silipo, Tony	Dovercourt	NDP	
Sola, John	Mississauga East	Lib	
Sorbara, Gregory S.	York Centre	Lib	
Sterling, Norman W.	Carleton	PC	
Stockwell, Chris	Etobicoke West	PC	
Sullivan, Barbara	Halton Centre	Lib	
Sutherland, Kimble	Oxford	NDP	
Swarbrick, Hon Anne	Scarborough West	NDP	Minister without Portfolio responsible for women's issues
Tilson, David	Dufferin-Peel	PC	
Turnbull, David	York Mills	PC	
Villeneuve, Noble	Stormont, Dundas and Glengarry	PC	Second Deputy Chair of the Committee of the Whole House
Ward, Brad	Brantford	NDP	Parliamentary assistant to the Minister of Skills Development
Ward, Margery	Don Mills	NDP	Parliamentary assistant to the Minister of Government Services
Wark-Martyn, Hon Shelley	Port Arthur	NDP	Minister of Revenue
Warner, Hon David	Scarborough-Ellesmere	NDP	Speaker
Waters, Daniel	Muskoka-Georgian Bay	NDP	Parliamentary assistant to the Minister of Tourism and Recreation
Wessenger, Paul	Simcoe Centre	NDP	Parliamentary assistant to the Attorney General
White, Drummond	Durham Centre	NDP	
Wildman, Hon Bud	Algonia	NDP	Minister of Natural Resources, minister responsible for native affairs
Wilson, Fred	Frontenac-Addington	NDP	Parliamentary assistant to the Minister of Correctional Services
Wilson, Gary	Kingston and The Islands	NDP	Parliamentary assistant to the Minister of Culture and Communications
Wilson, Jim	Simcoe West	PC	
Winninger, David	London South	NDP	Parliamentary assistant to the minister responsible for native affairs
Wiseman, Jim	Durham West	NDP	
Witmer, Elizabeth	Waterloo North	PC	
Wood, Len	Cochrane North	NDP	Parliamentary assistant to the Minister of Natural Resources
Ziemba, Hon Elaine	High Park-Swansea	NDP	Minister of Citizenship, minister responsible for disabled persons, minister responsible for the Ontario Human Rights Commission, minister responsible for race relations, minister responsible for senior citizens' affairs

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Legislative Assembly of Ontario

First Session, 35th Parliament

Assemblée législative de l'Ontario

Première session, 35^e législature

Official Report of Debates (Hansard)

Monday 17 December 1990

Journal des débats (Hansard)

Le lundi 17 décembre 1990



Speaker
Honourable David Warner

Clerk
Claude L. DesRosiers

Président
L'honorable David Warner

Greffier
Claude L. DesRosiers

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LEGISLATIVE ASSEMBLY OF ONTARIO

Monday 17 December 1990

The House met at 1330.

Prayers.

MEMBERS' STATEMENTS

YORK REGION DISTRICT HEALTH COUNCIL

Mr Beer: In August 1989 the former Liberal Minister of Health set up a steering committee for the region of York to examine the feasibility of creating a district health council for York region. Currently there are some 28 district health councils in the province of Ontario. York region, with approximately 475,000 residents, is the most populous area not served by a district health council. The steering committee, ably chaired by John Rogers, the former mayor of Georgina and former chairman of the region's health and social services committee, concluded its work last spring and recommended the establishment of a district health council. The former minister then asked that names be submitted by all interested groups and residents so that a new council could be set up.

The role of a district health council is critical to the planning needed to ensure a first-class health system in York region. With the implementation of the significant long-term-care reform initiated by the former government, it is vitally important that the new council be involved in the planning for future health and social services.

The question that everyone is asking in York region is, when will the present minister announce the formation of the York region district health council? I say to the minister that time is passing us by. There is solid agreement in the health and social service community that a council is needed. What we need now is some action.

DUFFERIN AREA HOSPITAL

Mr Tilson: The residents of north Caledon and Dufferin county have long been well served by the Dufferin Area Hospital in Orangeville. However, for a number of years now it has been recognized that our existing facility is overcrowded and antiquated in so far as its capacity to deliver modern health care services is concerned.

In 1987 the former Liberal government made a \$20-million commitment to fund a new facility on a new site. For its part, the county of Dufferin pledged \$6 million, and additional millions were raised and are still being raised and pledged locally to the project.

As recently as August, the government confirmed its commitment to the project by announcing additional funds to offset the effects of inflation since 1987. For its part, the local health community has undertaken a comprehensive review of health care delivery which has been highly praised.

Our health care community in Dufferin-Peel is poised to deliver modern, cost-effective health care to local residents. The staff at the Dufferin Area Hospital are without question some of the finest and most committed health care professionals anywhere in the province, but they need to

know, and indeed our entire community needs to know, the status of its hospital project.

The hospital is now awaiting word on whether it can proceed to the next level of planning for the new facility, the so-called functional program stage.

I would strongly urge the Minister of Health to reaffirm her ministry's and government's commitment to a new hospital to serve the citizens of Dufferin county and northern Caledon.

FEDERAL ECONOMIC POLICY

Mr Ferguson: The made-in-Canada recession has affected virtually every community and industry across Ontario. Epton Industries of Kitchener is but another example.

In a recent press release, the company stated:

"In response to the continuing high value of the Canadian dollar, high interest rates and a temporary slump in demand for its products caused by the current recession, Epton Industries Inc announced that up to 48 employees will be laid off, offered early retirement or have their employment contracts discontinued.

"When asked about future business prospects for Epton, Mr Michael Weedon, company president, expressed concern about Canada's high interest rates as well as the negative impact of the high Canadian dollar on exports to the United States."

In a very non-partisan way, I would urge all 130 members of this House to write the Prime Minister of Canada to voice their concerns over the devastating effect the federal government's policies are having on the thousands of workers across this province whom we collectively represent.

While this government is very busy putting together a well thought out package to assist individuals through this recession, it is counterproductive to have the province of Ontario move people one step ahead and have our federal counterparts push them two steps back.

SCHIZOPHRENIA TREATMENT

Mr Callahan: Today I will reintroduce a private member's bill which had received unanimous approval on second reading in the House before it prorogued for the election. This bill had been referred to the standing committee on social development for public hearings. The bill amends the Mental Health Act to provide protection for schizophrenics.

During the accord period, the Mental Health Act was amended to provide for greater protection for persons suffering from mental illness to ensure that they had some say in the treatment they received. Parents were not given an opportunity to speak at these hearings.

The bill I will be introducing today is an effort to redress this inequity and allow public hearings to be held. As the members may or may not know, schizophrenics can lead reasonably normal lives if they take their medication.

The appeals from treatment orders can take up to six months. The purpose of my bill will be to reduce this to 30 days from the date of perfection. It also allows for interim application to a judge to have treatment continued. If this were not in place, people in larger metropolitan areas could spend up to six months virtually in custody without any treatment.

This bill is just a start. It is supported by the Friends of Schizophrenics. I am hoping that we will have an opportunity to have it dealt with and referred for public hearings so these parents may have an opportunity to tell the members just what a horror story it is to have a person suffering from schizophrenia and not being able to help them through the Mental Health Act.

Unfortunately, I am number 82 on the ballot. If anybody wants to swap, I would like to swap immediately.

AIR QUALITY

Mr Carr: I would like to inform this House of the outcome of a meeting of about 500 people held in my riding last Thursday night. The meeting dealt with plans by Petro-Canada to reduce air emissions at its Oakville facility. I would like to inform the Minister of the Environment that the people attending this meeting are extremely concerned about the quality of air and about the health effects on their families.

As a result of the efforts of the local residents, the Minister of the Environment, Petro-Canada and my office, we now have a plan in place to reduce the emissions from this facility.

The residents of my riding would like to encourage the Minister of the Environment to bring in tougher standards for air emissions and tougher penalties for industries which break those laws. A committee composed of concerned citizens, the Minister of the Environment, Petro-Canada, the Halton regional department of health, the mayor and myself will be formed to monitor the progress of the plans to reduce the emissions.

This whole process shows very clearly, one, how concerned the people of this province are about the quality of the environment and, two, how the government, the people of this province and the industry must work together in order to provide the solutions to the challenges that face the environment.

I want to assure the people of Oakville South that I will not be satisfied until the desired results are gained and the air quality around the Oakville Petro-Canada facility has been acceptable to my constituents.

1340

DURHAM AREA TRANSPORTATION

Mr Mills: Today I want to thank the Minister of Transportation for restoring public transportation service to Durham and Peterborough residents. I know not everybody is happy, but these new all-day bus services are an important step. Some of my constituents would like to see a train service, and I would like to see one too, but we cannot do everything we want, especially in our current economic times.

This is a start. We have acted quickly. We are listening to the people and we are responding to their needs and we will continue to listen to the people, working with them to find the best possible alternatives. These consultations will continue.

Public transport service has been held hostage by succeeding federal governments. The Liberals slashed the Havelock-Peterborough commuter train to Toronto. The Conservatives restored train service, then cynically cancelled it last January.

The New Democratic government is providing a reliable, cost-effective public transport service that balances the needs of all our residents. The new all-day bus services will serve more people in more communities better than one train service running only twice a day. Bus service also saves the taxpayers: \$500,000 for a bus, \$3.5 million for a train.

Again, I know not everybody is happy, but even Transport 2000, a national rail passenger lobby, agrees that at this time a traditional commuter rail service to Havelock-Peterborough is not cost-efficient—

Interjections.

The Speaker: That is a wonderful speech.

PREMIER'S COUNCIL

Mrs Y. O'Neill: The Premier's Council was established by the Ontario government in 1986 with a mandate to steer Ontario into the forefront of economic leadership and technological innovation. The council represents a broad cross-section of the Ontario economy. Its members are drawn from the business, labour, government and academic communities, a comprehensive forum indeed.

Its current report, *People and Skills in the New Global Economy*, examines ways in which industry, educators, labour and government can work together to ensure that tomorrow's workforce is equipped with the skills it needs to compete, to adapt and to enjoy meaningful working lives into the 21st century.

A verbal commitment was made to the people of this province by the Premier in late summer or early fall that the Premier's Council would continue to be a high priority for his government. Yet to this date we have not heard any of his specific plans or any plans indeed regarding future meetings of this comprehensive forum of provincial leaders.

When does the Premier intend to convene the first meeting of the council on technology? What ministers of his executive council will be included in membership of the council? May we expect a specific announcement of a meeting of the Premier's Council on technology early in the new year? I will be presenting an open letter to the Premier at the conclusion of my remarks.

ENERGY EFFICIENCY

Mr Jordan: Today the Minister of Government Services and the Minister of Energy made an announcement that attempts to improve energy efficiency in Ontario government buildings. The ministers did not make the announcement here in the House but at a press conference this morning. This announcement will see close

to \$10 million spent on 8,000 energy audits across this province. Hydro chairman Bob Franklin thinks this will accelerate to \$15 million over the next five years. This is a very generous act of Ontario Hydro. They are already spending millions of dollars on energy conservation audits for the private sector and have been doing so for over 15 years.

These programs are commendable, but I wonder if the Minister of Energy has considered involving the other players in the energy game. The executive vice-president of Imperial Oil told me recently they would be happy to participate in government conservation initiatives. Would cost-sharing not be more beneficial than burdening the taxpayers with the full cost of these programs through their hydro bills, which are already facing a 15% increase in 1991?

I would also like to comment on the Minister of Energy's statement that this program could eliminate the need for a new nuclear power plant. I would like to remind the minister it will only postpone the need for a new supply of energy.

In keeping the 8,000 audits to \$1,000: Good luck.

AMERICAN BUS ASSOCIATION CONVENTION

Ms Harrington: I wish to let the House know the success of the American Bus Association convention in Niagara Falls this past week; 2,600 delegates from all across North America were there. This was not just another convention; these people were tour bus operators.

Local workers were given a special training course in hospitality through the Ministry of Tourism and Recreation. The Niagara Falls Canada Visitor and Convention Bureau organized the event with the help of city hall. Gala events such as fireworks and a laser light show over the falls were co-ordinated with the city of Niagara Falls, New York. Even customs co-operated.

The results: First, delegates were impressed with the hospitality and the hotel facilities on the Canadian side in particular. Mr Denis Stefaniuk of the visitor and convention bureau said: "We were told our hotels were superior to the American ones. We were told our hospitality was absolutely superb."

Second, past conventions in Indianapolis and Nashville have resulted in a three-year tourism boost. Tourism business in Ontario has been in a slump since 1988. So it is hoped that Niagara Falls, along with Ontario in general, will now reap the benefits of increased bus tours in the summer of 1991-92 and onward.

We welcome everyone to Niagara Falls over the holidays to see the Festival of Lights.

STATEMENTS BY THE MINISTRY

CORPS D'ÉLITE ONTARIO

Hon Mr North: Mr Speaker, I rise to ask you and all the honourable members to welcome three visitors to the Legislature today. They are Susan Mott of Angus, Dr Paul Syme of Sault Ste Marie and Kathy Wiele of Collingwood.

In just a few minutes, I will escort them to the Lieutenant Governor's suite, where they will receive the

provincial Corps d'élite Ontario Awards in ceremonies presided over by His Honour Lincoln Alexander.

The Corps d'élite Ontario Awards honour outstanding recreation volunteers. By recognizing these three people, we honour all 372,000 recreation volunteers in the province. Their dedication makes our community stronger.

All three of the award winners here today have had a major impact on recreation in Ontario. I will mention only some of their accomplishments.

In 1986, Susan Mott helped to establish the first pony driving program in Ontario for people with disabilities. Pony driving is not well known in our province, but that is changing. Through the driving for disabled program, Susan Mott has introduced many people to the benefits of taking the reins of a carriage pulled by ponies. She is also the director of the Ontario Federation for the Cerebral Palsied.

Almost 20 years ago, Dr Paul Syme founded the Voyageur Trail Association. The trail stretches nearly 400 kilometres along the shores of Lakes Huron and Superior and is used by hikers and skiers. A tireless worker for recreation and conservation, Dr Syme has served in executive positions with Hike Ontario and the National Trails Association.

Kathy Wiele has shown great leadership and vision in 15 years of volunteer service to the Ontario Recreation Society and the Parks and Recreation Federation of Ontario. In all her efforts, she has consistently promoted training and professional development in recreation.

Mr Speaker, I would ask that you and the honourable members join with me now in showing our appreciation of all recreation volunteers by honouring Susan Mott, Dr Paul Syme and Kathy Wiele.

1350

TORONTO WATERFRONT

Hon Mrs Grier: I want to share with members of this House the government's response to the recommendations of the Crombie Royal Commission on the Future of the Toronto Waterfront.

It has been two months since David Crombie tabled his second interim report entitled Watershed. The principles of the Watershed report and Mr Crombie's recommendations are fresh and invigorating. They have received broad support from municipalities, environmental groups, the media, the general public and from this government. I want to commend the previous government, and John Sweeney in particular, for giving the commission a broad mandate and for its support of the commission's activities.

The commission's findings have already prompted widespread debate, discussion and commitment to regenerating the waterfront. We responded immediately, supporting the report with enthusiasm, and we endorsed fully the principles put forward for the future direction of the waterfront area: a waterfront that is clean, green and attractive; a waterfront that is usable, diverse and open; a waterfront that is connected, affordable and accessible. These are values that we as a government share.

We intend to use these nine principles as a guide, not only for the waterfront, but to move beyond the waterfront

to the greater Toronto area urban structure process. My colleague the Minister of Natural Resources and I will apply these values to the closely related greenlands strategy released earlier this summer by the previous government. We will provide a framework to ensure that greenlands and watersheds become an integral part of future plans for the greater Toronto area.

Our clear acceptance of Mr Crombie's principles should be viewed by municipalities and the community as a ringing endorsement of the ecosystem approach to planning as well as to the underlying values of the commission report.

The call for immediate action has been unanimous, and today I would like to outline how we intend to implement key recommendations of the Watershed report.

First, we will establish a continuous waterfront trail which will become the greenway that ties the GTA together from Burlington to Newcastle. It will link to the Bruce and Ganaraska Trail systems at either end. We see the waterfront trail as the highest land use for all public lands along the water's edge. The trail will be much more than a four-foot strip of asphalt. This trail will connect the waterfront with river valleys and source areas and link up areas of natural and historic importance along Lake Ontario. It will be a place for people, for families and children to enjoy the out of doors and the natural environment on foot or bicycle.

Second, we accept the idea of waterfront partnership agreements as a valid implementation vehicle for waterfront plans. We will negotiate agreements between local, regional and federal governments, along with conservation authorities, to prepare responsible development plans and implementation mechanisms for the waterfront consistent with the Crombie principles.

Third, we will establish by legislation a waterfront regeneration trust. It will be the responsibility of the trust to accept lands surplus to Toronto port needs, as well as adjacent provincial lands, and to co-ordinate regeneration activities.

Finally, we will move to halt the unnecessary privatization of the public shoreline and crown resources such as water lots. My colleague the Minister of Natural Resources will address this matter in the near future.

A significant portion of the Crombie report concentrates on the Etobicoke waterfront. As the local MPP, the minister responsible for the GTA and the Minister of the Environment, I am pleased that Etobicoke, Metro and the province will be working co-operatively to ensure that there is a comprehensive planning framework for new development in south Etobicoke, culminating in modification to the Etobicoke official plan, plus other implementation measures. The three levels of government have agreed on a program which includes extensive community consultation.

In the final year of the royal commission's work, we will ask Mr Crombie to address:

1. The feasibility of relocating the Gardiner Expressway, in consultation with Metropolitan Toronto and the Ministry of Transportation;

2. The pooling of lands and the integration of future plans for the Canadian National Exhibition, Ontario Place, Fort York and HMCS York, in consultation with the Ministry of Tourism and Recreation and the other authorities involved;

3. Finally, policies, practices, technology and methods available to regenerate shoreline areas.

These measures are an important starting point for ensuring that the waterfront and the natural environment of the greater Toronto area is preserved and enhanced for future generations. We will continue to support the work of the commission and we look forward to Mr Crombie's final report.

SALE OF FAIRBANK MEMORIAL PARK

Hon Mr Cooke: As members may be aware, in August my ministry was asked by York Mayor Fergy Brown and others to review the procedures followed by York council in its decision to sell part of Fairbank Memorial Park for a condominium development.

I have now received the report. I am not, however, in a position to release it to the public at this time because the police have asked me not to, and it has been handed over to them as part of their investigation into the issues in the city of York.

Notwithstanding the fact that I am unable to release the report, there are a number of aspects regarding the conduct of business by York council that are a cause of concern to me.

The decision to sell part of Fairbank Memorial Park for development was made against the provisions of the city's official plan and apparently against the wishes of many residents of York.

I am concerned that the people of York stand to lose valuable park land when earlier city reports have in fact documented a need for more park land.

I am concerned that council decided to sell the land before it made any move to redesignate the land for residential development. This made public consultation secondary to an agreement with a developer over the use of a public asset.

I am concerned about the lack of public consultation undertaken in connection with this deal. Technically there was a process, but it appears to have been managed in such a way as to minimize any opportunity for a real public discussion of the project as a whole.

I am also concerned about the refusal of York city council to acknowledge that it has a problem that requires attention or to initiate any corrective action. Its only response to the controversies so far has been to hire a lawyer to protect the city from "allegations and rumours" in the media.

These are but a few of the concerns that have been raised about the way the city of York does business.

My government promised, in the speech from the throne, to introduce new conflict-of-interest legislation that would apply to municipal politicians and officials. It is our intention that this legislation will help restore lost public confidence.

In the meantime, I am strongly advising the city of York to bring in outside municipal consultants to undertake a complete administrative review. I would expect that review to result in new procedural bylaws for the city, including stringent procedures for the sale of municipal assets, particularly land. Clear, understandable rules for procedure would also help to reassure the people of York that their elected representatives are acting in their best interests.

Finally, with respect to the future of Fairbank Memorial Park, I would point out that before anything further can happen, the city will have to go through a very public process should it seek to amend its official plan and zoning bylaw. That process includes considerable opportunity for public input and offers objectors the option of appealing any such amendments to the Ontario Municipal Board. I want to let York city council know that I will follow that process with great interest.

As the minister responsible for good land use planning, I want to assure the members here that if I am not happy with the way the process proceeds, I will be more than willing at any time to exercise the powers available to me under the Planning Act, including a declaration of provincial interest, to see that the final outcome is in the best interests of the people of York.

Municipal governments provide a wide range of vital services. The decisions they make, particularly on land use issues, have a profound influence on the day-to-day lives of the people of Ontario. The people must be able to have confidence that the municipal decision-making process is completely fair and above board. It is my hope that the steps I have outlined will help rebuild some of that confidence in the city of York.

1400

RESPONSES

CORPS D'ÉLITE ONTARIO

Mr H. O'Neil: Along with the Minister of Tourism and Recreation, I, on behalf of our party, would also like to add words of congratulations to the three recipients of the Corps d'élite award.

As the previous Minister of Tourism and Recreation, I can tell members that these awards are looked at very carefully, and the people who receive them are certainly due them. I can also tell members that as the previous minister who travelled around the province to see the many volunteers who work so hard on behalf of recreation in the province, it is very rewarding to see that the minister and the government are continuing these awards.

A word of caution for the minister, though: It is not always easy to tell the Premier and the members of the caucus and the cabinet how important recreation is to this great province, so he will have to fight for funds for them. They need these funds and assistance to make sure we have top recreation within the province of Ontario. I congratulate him for continuing in this area.

TORONTO WATERFRONT

Mrs Sullivan: I am responding to the statement of the Minister of the Environment. I would like her and other

members of the House to know that we welcome her statement, which builds on the initiatives of the Honourable John Sweeney and the Ontario government, which moved forward in a unique collaboration in relationship to that commission work, and involving the greenlands study of our former colleague in this House, Mr Kanter. We also appreciate the minister's acknowledgement of that previous work.

We also welcome the commitment to establish a waterfront trail from Newcastle to Burlington. We are looking for additional information, including whether a provincial interest will be declared under the Planning Act and whether that activity will also include a complete natural history inventory, which we believe is vital for the appropriate development and regeneration of that area.

On the watershed partnership agreements, we see this as a forward-looking activity. We welcome that. We are hoping to hear some announcements relating to long-term funding. I refer the minister to page 84 of the Watershed report, which suggests that a financial and resource regime to support the implementation of the waterfront partnership agreements will be necessary.

At first look it seems to me that the waterfront regeneration trust seems to be a creative approach. We would be interested in knowing when legislation will be coming before the House and what kinds of provincial protections will be put into place for lands that may have been contaminated in the past. Will decommissioning, by example, be required before the trust acquires ownership?

The minister has referred to her own area, Etobicoke. I would like to put in a plug for my area and ask the minister if her view of the waterfront protection also includes the recommendations of Halton, which were accepted by Mr Crombie, for a Great Lakes science centre to be established there. Mr Crombie has suggested everything is connected to everything else. We see this as a positive start.

SALE OF FAIRBANK MEMORIAL PARK

Mrs Caplan: I am responding to the statement by the Minister of Municipal Affairs and will start out by saying how extremely disappointed I am with this response. It does nothing whatever to rebuild confidence. In fact the points that have been made in his statement, I believe, seriously undermine public confidence in the planning process in the city of York.

These questions have been asked now since August. Not only have we not had any answers provided, but in fact there has been no action whatever. At the very least, today I think it would have been reasonable to have expected the minister to declare a provincial interest. I think it would have been reasonable for him to commit to release the report and also to commit to a public inquiry following the police investigation. These are extremely serious public matters. I would tell him as well that to me his response is particularly disheartening because I know how unacceptable that kind of action would have been to him just a few short months ago when he sat on this side of the House.

No one wants to interfere with a police investigation. Certainly the people in this party support that kind of due

process. But I would say to him very, very clearly that he has failed to use the powers that he has. He has failed to understand the importance of what is happening in the city of York and how that needs to be opened fully to public scrutiny. An administrative review, from his suggestion, of the city of York not only displays his lack of understanding, but his lack of understanding of the need of the people of the city of York to have confidence in their municipal council.

I would lastly say that what upset me the most was the minister saying "if he is not happy with the planning process." Through this whole report he is concerned. What will it take to make him unhappy?

CORPS D'ÉLITE ONTARIO

Mr J. Wilson: I am very pleased to rise today on behalf of the Progressive Conservative Party to join with the Minister of Tourism and Recreation and our colleague from the Liberal Party in extending our wholehearted congratulations to the three recipients of the Corps d'élite Ontario award.

I am also pleased to point out to the House that two of the recipients are from my riding of Simcoe West. Susan Mott lives near Angus in my riding, as does Kathy Wiele who lives in the town of Collingwood. Dr Paul Syme, unfortunately, does not have the good fortune of living in the riding of Simcoe West, but we extend our congratulations to him as well.

It strikes me that today's recipients are an example of good citizenship. The communities they live in, the people they meet and the places they work in are better for the very fact that they are there.

Once again, on behalf of our party and all of the citizens of Ontario, we extend our congratulations, and I will be pleased to join the minister in just a couple of minutes to watch them receive their awards.

TORONTO WATERFRONT

Mrs Marland: In response to the announcement dealing with the Crombie royal commission report, we have some questions that we hope the minister responsible will address shortly in the future. We concur that this report has some sound recommendations. We also feel at this point that they cannot be dealt with in isolation for overall planning for the greater Toronto area.

Frankly, when the minister says that they will provide a framework to ensure that greenlands and watersheds become an integral part of future plans for the greater Toronto area, I think the message we really want to convey to this minister is that we are waiting to know what all the future plans are for the GTA and that we cannot deal with one aspect of it in isolation.

I give as a perfect example the fact that we have seen no real commitment yet from this government to deal with the most major issue of the GTA, which envelops all of this planning, and that is a commitment to the replacement of the infrastructure. Unless we have that commitment to the infrastructure replacement, it does not matter what we plan for the CNE grounds or the watershed or anything else. We will still have closed beaches next year as we

have had for the last five years. We will have ongoing problems which cannot be corrected without a very real commitment by this government.

In fact, when we look at the government talking about the waterfront regeneration trust, admittedly it is federal land, but with the sale of the lands that are connected with Harbourfront, all of this has to be planned overall. We expect this minister for the GTA to make a very realistic analysis and come forward with the plans we have been waiting for now for some time.

Mr Stockwell: To consider that the waterfront needs more planning, I think is a total, colossal waste of time. The studies have been done; they have been reviewed; they are stacked this high. We think about the CNE specifically. That is the biggest white elephant in Metro now because the government built the domed stadium, which effectively closed down the CNE as far as lakefront use is concerned.

In Etobicoke for 20 years, through studies on the motel strip, we have attracted nothing but cockroaches, rats and hookers. They are still there. It is still an eyesore in Etobicoke, and the Minister of the Environment, who was the local councillor for many years, knows full well that we are just going to have a continuing eyesore that has done nothing to benefit Metropolitan Toronto and Etobicoke.

One thing I have always said about Mr Crombie is that he has a great sense of humour. This report is not practical. It will never be implemented. The biggest developer along the lakefront that is using up prime waterfront property is the government itself on the Humber College properties and the psychiatric grounds. I think they had better look in their own backyard before they start determining what development is okay and what is not.

SALE OF FAIRBANK MEMORIAL PARK

Mr Harris: I want to respond briefly to the statement by the Minister of Municipal Affairs concerning York region's—

Mrs Caplan: City of York.

Mr Harris: —I am sorry; those guys to the right of me can understand why York region comes to mind, though—York's sale of part of Fairbank Memorial Park.

First, the minister says in the first part of his statement that he is very concerned about the lack of public input. Then he says, however, that there is a process with "considerable opportunity for public input" still ahead of us. Second, the minister makes a threat that there is going to be a provincial interest without saying what it is. He is going to allow them to go through this whole process. He is making a threat to the Ontario Municipal Board; he is making a threat to the town; he is making a threat to the people. If he has a provincial interest, why—

The Speaker: Time.

1410

Mr Jackson: On a point of order, Mr Speaker: In accordance with the standing orders, I would ask if the Speaker would investigate why the Minister of Transportation hastily called a press announcement this morning at

10 o'clock to announce a \$400-million project being killed and failed to share the circumstances and the details of that with members of this House. The reaction in the city of Hamilton and Wentworth region has been incredible. I ask the Speaker to investigate.

The Speaker: That is certainly a point of information and obviously of some agitation, but other than that, it is not a point of order.

Mr Nixon: Obviously the honourable member was not allowed on the question period list for the third party, but that is not going to stop him getting it on Hansard for today.

ORAL QUESTIONS

UNEMPLOYMENT

Mr Nixon: I have a question of the Premier. Since our efficient House leaders seem to be moving us towards an adjournment later this week and we will not be returning until well into March, according to our timetable, I would ask the Premier to comment on a concern that I expressed, and that has certainly been expressed by others, on the inadequacy of the government's plan to assist those people who are presently unemployed, unemployed because of bankruptcies and the closedown of many industries and who are becoming statistics because of the downward spiral of the economy.

He is aware, I am sure, that his Treasurer's commitment of \$700 million is now a commitment of \$41 million over the winter and there is a substantial concern that we are going to have people in serious want or in serious difficulties because of the inadequacies in this regard unless the government makes some announcements and takes some further initiatives in the next three days.

Hon Mr Rae: First of all, I say to the Leader of the Opposition that I share his concern and his views with regard to the seriousness of the situation with the economy. I can assure him that we are doing whatever we can to speed up the allocation of funds under the antirecession package which has been put forward by the Treasurer and I can assure him—and I am sure he will understand me when I say this—that obviously when the House is in session that is required in order to generate new legislation. But to make new announcements within the \$700-million package, we do not need to come back to the House. I can assure the Leader of the Opposition that we are going to be doing everything we can to speed up the necessary investment and to make sure that those jobs are coming on stream as quickly as is humanly possible.

Mr Nixon: The Premier will be aware that the unemployment rate reported last week for Ontario is 7.6%. We are no longer the province with the lowest unemployment rate. In Windsor, it is 10%. At the other end of the province, in Cornwall, it is 27%.

The money that has been allocated by the Treasurer, according to the information he provided, is going to be \$6.9 million for all of southwestern Ontario and only \$2.9 million for all of eastern Ontario. Surely the Premier would agree with me about the inadequacy of this situation.

I noticed that he was castigating the Prime Minister of Canada for promising a transitional program associated with free trade, and I believe the Premier is right in his criticism because no such program is coming forward. I am not blaming the Premier for the recession, although I may get around to that later in my political career, but I will tell him we are all of us looking at the situation in our own constituencies and we feel that it is totally inadequate at the present time.

Can the Premier indicate what further consideration is being given by his colleagues and by himself to head off at least some of the worst depredations of this situation?

Hon Mr Rae: Obviously the answer is not good enough for the Leader of the Opposition. I can only say that what we are going to do with respect to the \$41-million figure that he talks about is only the initial allocation in the first week in which we announced the program. As I have said to the Leader of the Opposition on many other occasions, as soon as we can announce further investment that we think makes sense and the projects are ready to go and the municipalities are coming on board, we will do that.

I would like to further indicate to the Leader of the Opposition that the Treasurer has already raised with the Minister of Finance in Ottawa, and is going to be raising again this week in person at his meeting with the Minister of Finance in Ottawa, the need for this to be a program of the three levels of government: the municipalities, the provincial government and the federal government.

I am very proud that it is the provincial government that has led the way in terms of this \$700-million antirecession package, which is the largest investment that has been made anywhere in the country with respect to fighting the recession and which will be worth well over \$1 billion if we can get the federal government and the municipalities to come on board. The sooner we can get that money into the field and into the communities, the better off we will all be. In that sense I agree fully with the Leader of the Opposition.

Mr Nixon: We have the distinct impression—and it may be because we view the government initiative with a somewhat jaundiced eye—that the government is under the impression that it is going to get away with a reference to the \$700 million, which will not be spent in this fiscal year.

There is a clear indication that \$41 million is the money that will be spent. The Treasurer can tell the Premier that the Ministry of Revenue takes that in before lunch seven days a week, 365 days a year. The \$41 million sounds like a lot of money, but when you look at what it actually means when spread out across our communities, it is really not going to be effective. For the Premier to indicate that he is giving leadership for all of Canada is certainly not going to do anything about the employment situation and it is not going to do anything to mitigate the effects in our communities.

I would simply ask the Premier again, is he satisfied with what the government is doing now? Would he not agree with people on all sides of this House who feel that

an additional commitment of energy and leadership is needed if the money is going to be available and it is going to be in the communities where it is needed and when it is needed? The need is certainly going to come well before this coming March.

Hon Mr Rae: Let me assure the Leader of the Opposition that as long as there is a recession in this province, I am not satisfied; as long as there are people who are unemployed in Ontario who could be working, I am not satisfied, and as long as there are projects that can be done which need to get speeded up, I am not satisfied. I do not think anybody can be satisfied in that circumstance.

We are going to do everything we can, everything that is humanly possible. We are going to be working as hard as we possibly can to bring these projects on stream. That is what we are elected to do and that is exactly what we are going to do. Let me assure the Leader of the Opposition, I am not any more satisfied than he is with the current economic situation in the province and we are going to be doing everything we can to turn it around.

Mr Nixon: The Premier must surely be aware that even though he describes his dissatisfaction, we are all dissatisfied with this and he is the one person, perhaps with the Treasurer, who can do something more than is presently being done.

GASOLINE PRICES

Mr Nixon: I have a question for the Minister of Energy. It has to do with the announcements over the last few days of substantial windfall profits from the petroleum industry in Canada. Much of these profits, of course, is earned in this jurisdiction and certainly are reported here.

With gasoline prices contributing to the increase in inflation, up to 5% according to Statistics Canada, with drivers paying 24.2% more for gasoline last month than a year ago November and with the petroleum industry reporting a 183% increase in profit year over year, would she not feel that there is a certain amount of gouging going on in the profit-taking of this particular industry during the last couple of months?

Hon Mrs Carter: I can only repeat what I have said before in answer to similar questions, that we are monitoring prices. I do not believe that prices have increased recently as a result of the Middle East crisis; in fact the reverse has been the case. We shall take appropriate action if we feel that this has become necessary.

1420

Mr Nixon: During the Premier's brief honeymoon with the people of the province—I think it was about the fourth day he was in office—he made a statement that he would not allow gouging. The *Toronto Star*, which of course has since left his support substantially, said, "Rae Vows to Bar Price Gouging by Oil Companies." I noticed about a week later that one of the minister's employees said he had looked at the matter very carefully and there was no gouging, and everybody sat back and was relieved that the government was in control of this matter. But surely when the minister looks at the profits reported by these major, world-class companies she must see that the in-

crease in profits of this type must surely be associated with the heavy increases in the prices charged, and surely she as the minister should be doing something about it.

The one thing that concerns me is that so many of her colleagues were vehement in this regard in their previous incarnation. I think of the honourable member for Algoma, who is now Minister of Natural Resources, who said—and this is so typical of the whole bunch of them—"It is time we got away from this crazy and silly political posturing in this House and actually made a commitment to the consumers of this province that we are going to lower the prices in northern Ontario and deal with the ripoff the oil companies are providing to consumers." The honourable minister must surely want to support her colleagues, even though she was not here and is not responsible for some of the excesses of some of these people, but surely with the statistics before her it is not enough for her to simply say that she can say no more.

Hon Mrs Carter: If the Leader of the Opposition will provide me with evidence of gouging by oil companies, I would be very happy to see it. I would like to point out that the price of gasoline has actually gone down over the last week.

Mr Nixon: Since very specific complaints were brought forward, besides the Premier saying that he was not going to allow gouging and that he thinks a 183% increase year over year is all right, what about the minister's northern colleagues who have been perfectly clear in their commitment that they were going to equalize these prices in northern Ontario? I see the Minister of Mines straightening up and opening his briefing book for the first time in two months, in case he is going to participate in this. The honourable House leader herself, who unfortunately is absent, had indicated that there should be some sort of a legislative review undertaken and maybe even controls.

Surely the minister, now that she represents all of this goodwill and this strength in policy, is going to have to announce something to fulfil these commitments to the people of Ontario and particularly northern Ontario.

Hon Mrs Carter: A member of my staff did go up to Kapuskasing at the end of last week. I have not yet received the full briefing, but I do understand that it so happened that the price of gas went down by a nickel over the weekend, whatever the reason may have been. We are holding a briefing for caucus members from that area tomorrow and we shall be going into this matter very fully.

Mr Harris: I congratulate the minister on knowing where Kapuskasing is, which is more than half the Liberal cabinet did in the past five years.

INTEREST RATE RELIEF

Mr Harris: I have a question for the Premier. In August he outlined a document—just to refresh his memory in case he has forgotten—called *An Agenda for People*. On page 2 of that document the Premier said, "Ontario is in a recession." No surprises; I would assume that once he got into power it would be in a recession. He said in August it was in a recession. He said, "The high interest

rate policies of the federal Conservatives demand a provincial response."

The Premier did not say that provincial response was to rant and wail and moan and groan about the federal government's interest rate policies. What he said was this: that he would use the borrowing power of preferential rates available to the provincial government, administer the programs using existing structures, and that he would offer reduced interest rate loans to three critical areas of Ontario's economy, all at no cost to the taxpayer.

During the election, that is what the Premier said his response would be. One of those critical areas in the three he outlined was small business. Given that, true to what the Premier thought in August, we are in a recession, can he tell us why he is waiting for this no-cost option to provide interest rate relief to small business?

Hon Mr Rae: To be fair to the leader of the third party, he has asked this question before, almost verbatim, and I am going to try to give him an answer which is consistent with my previous answer, and that is to make it clear to the leader of the third party, the Conservative Party, that the major economic decision we decided we could take before the budget was with respect to the anti-recession package.

We have made some other announcements apart from that, but, frankly, the overall dollar amount has not been enormous, and that has been basically because we wanted to get a handle on the overall economic situation in preparation for the budget before making any other major economic announcements. That is the reason we have decided to act in this way.

I think it is a wise course of action. I think it is consistent with what most people would feel makes a whole lot of sense. We are focusing on the \$700-million package, and other announcements, frankly, are just going to have to wait a little while longer.

Mr Harris: What the Premier has said in An Agenda for People is "at no cost to the taxpayer." I do not know why he needs to talk to the Treasurer. Is the Premier telling me that 10.5% loans for small business at no cost to the Treasury are not a priority for his government, given this period of recession?

Second, the Premier offers the same type of assistance to farmers. He says 10.5% money will be made available to farmers—again at no cost to the Treasury. I do not know why the Premier needs to talk to the Treasurer. Since the Premier had this plan, he knew we were in a recession, and he can do this at no cost so presumably there would be no financial impact on the province, why does the Premier not proceed with the plan to provide farmers with 10.5% low-interest loans?

Hon Mr Rae: For the same reason that I indicated in my first answer. I am sure the leader of the Conservative Party is aware that my colleague the member for Essex-Kent, the parliamentary assistant to the Minister of Agriculture and Food, is consulting widely and is visiting communities across the province to discuss questions of agricultural finance. I think that is the way for us to proceed.

Mr Harris: I really think the Premier is testing the credibility of the small business sector and the farming sector. Presumably he is consulting with them and saying, "Do you want 10.5% money?" and he thinks maybe there is one farmer or one small businessman out there who is going to say: "No, Bob, don't do that. Please don't give us a break on interest rates." What is there to consult about? They have told the Premier for a long period of time what the problem is. He knew in August what the problem was.

Let me get to the third sector of the economy, which is the housing industry. There the Premier promised 10.5% loans—again at no cost to the Treasury, no cost to the taxpayer, he is going to use the borrowing power of the government of Ontario. I assume that the Premier can do this at no cost providing the Treasurer is not planning to use up all of the provincial borrowing power for something else.

I would ask the Premier, is that why he has to consult the Treasurer? Is that why he has to wait for the budget, because he is concerned that the Treasurer and the rest of his ministries will use all the government borrowing power and there will be nothing left of the borrowing power to help farmers, to help small businessmen and to help the housing industry?

1430

Hon Mr Rae: When I listen to the leader of the Conservative Party, I always have to be aware what day it is, if this is Dr Save or Dr Spend. I want to say to him that after two and a half months in office, I think it is fair to say that the government made a decision, knowing we would be criticized by some, though we were never quite sure from what source the criticism would come or on what day it would come, or the consistency of the criticism, but to say to the leader of the third party that the decision was made that we would proceed with a major capital works project, which is exactly what we have done; and that with respect to other economic announcements, we would basically be taking time to study those, to talk to people, to consult with people and not make any further major announcements until we get closer to budget time.

That is the decision that we have made. I think it is a wise decision in terms of looking at the implications of our decisions, not just for next year but for future budget years. As we head into 1993, 1994 and 1995, we have to be concerned about the long-term implications of every decision that we make. We are very much aware of that.

HIGHWAY CONSTRUCTION

Mr Harris: I would like to ask a question of the Minister of Transportation concerning his government's commitment to spending money on infrastructure in the province of Ontario rather than helping the private sector or helping farmers or helping small business.

The Premier says they are going to stimulate the economy with private sector investment. I wonder if the minister can tell me what consultation he had with the mayor of Hamilton and the chairman of the region of Hamilton-Wentworth in reversing a 10-year commitment and planning decision in cancelling \$400-million worth of work on the Red Hill expressway.

Hon Mr Philip: In the first place, it is not the cancellation of \$400-million worth of work. In the second place, I can tell the member that I consulted extensively with Reg Whynott, the regional chairman, and the elected representatives from that area. I understood their concerns precisely and I had an obligation, as the Minister of Transportation, to make a decision based on my concern for the environment. I made a correct decision, I made a moral decision, and I decided not to continue with the funding of an expressway through an environmentally sensitive area.

Mr Harris: I guess the defence for not doing anything is going to be this high moral something or other in their background affecting decision-making.

By way of supplementary, the minister says it is not \$400 million, and he is quite right. There is already \$100 million being spent; it is the other \$300 million not being spent. Silly me for treating it as \$400 million wasted when he is going to throw away \$100 million that has already been spent on his roads to nowhere.

However, I would like to ask the minister this. All the planning in the whole region of Hamilton-Wentworth, all the planning for the last decade, all the residential zoning, all the commercial planning and all the industrial planning has gone on on the basis of this expressway going in the location where it was to go through, part of it the Red Hill Creek area.

A full environmental assessment was conducted. All of the moral decisions were decided by, I guess, two previous governments. Can he tell us what happens now with a decade of all the planning, all the zoning, all the houses that have been built and planned, the commercial development, the industrial development in all of the Hamilton-Wentworth region? Does he just forget it all now?

Hon Mr Philip: The obligation of this government and of my ministry is to set the priorities for how we will spend the tax money that we have at our disposal. I chose not to spend our tax dollars on a matter that would create an environmental problem for the people of Hamilton-Wentworth. I chose not to spend money on destroying something that will be of great value to our children and our children's children, and that is my obligation. It was a tough decision, but I had the guts to make it.

Mr Harris: I wonder if the minister could tell me what aspect of the environmental assessment that was done on this project he disagrees with.

Hon Mr Philip: It is not my role to decide what the environmental assessment is.

Interjections.

Hon Mr Philip: There was a consolidated hearing some five years ago. Things have changed since then. I made a decision based on present conditions and on our party's commitment to protect the environment and to have a marriage between the environment and transportation. I made that decision, it is the correct decision, it is the morally right decision and I stand by my decision.

PURCHASE OF URANIUM

Mr Brown: On 18 August 1990 in Sudbury, Ontario, in a television interview, the Premier stated clearly and unequivocally that Ontario Hydro would increase its uranium purchases from the mines at Elliot Lake. My question is to the Minister of Energy. Does she support this very clear promise made by the Premier on 18 August?

Hon Mrs Carter: I would like to point out that the moratorium we have brought in on the building of nuclear power stations has made no difference whatsoever to Elliot Lake because we are still purchasing uranium for existing stations. We are bringing the Darlington stations on line and obviously we shall need uranium for those. The problems at Elliot Lake are due to the falling off of international demand for uranium, which is something that is obviously beyond our scope. We are looking into the question of purchase from the mines at Elliot Lake, and that is something that we shall be coming up with an answer on in the future.

Mr Brown: I am saddened; I am disappointed. Does the minister not understand that there are 2,000 men and women unemployed in Elliot Lake right now? We are talking about 60% unemployment in Elliot Lake among the primary workforce. The Premier's statement on 18 August was not just some throwaway NDP policy; it was not an initiative like most of the others in Elliot Lake, which are just strictly pulled from the Liberal agenda. It was a very specific promise made to a very specific group of people in full recognition of the recession and in full recognition of the government's nuclear policy. They said they would buy 100% uranium in Elliot Lake.

The Minister of Natural Resources, my friend the member for Algoma, in campaigning said, "We must buy 100% of the uranium in Elliot Lake; put people before dollars." We have 2,000 men and women in Elliot Lake unemployed. This is their promise. When is the minister going to live up to it? It has to be now.

Hon Mrs Carter: Of course, the problem that the people of Elliot Lake have is that theirs has been very much a one-industry town. They have had to depend on uranium mining, which is something that does have its limitations in any case.

We have not discontinued purchases from there. As I said, the difference is due to the falling off of demand. We are very concerned indeed about the problem of employment in Elliot Lake. My parliamentary assistant has recently been there and has discussed the problem with the mayor and other people there. The mayor happened to say, incidentally, while he was there, that the previous government had let them down.

We are looking at a whole range of possible things that may happen there. One is that as a result of our policies of energy efficiency, there will be job spinoffs in all kinds of other manufacturing and other areas which may benefit that area. Ontario Hydro is also looking at the possibility of putting electricity generation of a different type—not nuclear—into that area.

As I say, we are extremely concerned. We are working on it. We shall not leave the people of Elliot Lake abandoned to their fate. We are doing what we can.

1440

HIGHWAY CONSTRUCTION

Mr Harris: I would like to go back to the Minister of Transportation to try to find out whether this decision that he has made today in Hamilton is one based on perception, as was the decision with the long trucks, or whether it was a decision made upon some morals he has, for which there is no foundation, or whether it was based on a foundation. I would ask the minister again, could he tell me one thing that the environmental assessment panel ruled on when it ruled in favour of this project that he disagrees with?

Hon Mr Philip: The consolidated hearing was not unanimous. In fact, the environmental representative on that consolidated hearing wrote a very strong dissenting report condemning the decision on environmental grounds. I have reviewed that. I reviewed the destruction that would take place to the valley if this portion of the expressway went through and I made the decision based on what I feel is the commitment of New Democrats in this House and in this government to the protection of the environment.

Mr Harris: I am trying to get a handle on process here. Is the minister saying: "It does not matter what the Minister of the Environment says or does. It does not matter about the environmental assessment process. It does not matter about 10 years of planning. All that matters is my personal sense of what is good and what is bad"? Other than that, I wonder if the minister can tell me one specific thing, other than the fact that we know there were a couple of people who objected, that bothers him about the impact on the valley of this road going through there.

Hon Mr Philip: We made the decision. It was a cabinet decision. It was a proposal that I brought to the cabinet that we not fund that portion of the expressway. I felt that it was based on what we had said in an election; namely, our commitment to have a marriage between Environment and Transportation and between Environment and other ministries. We were consistent with what we said in the election and we are consistent with our strong commitment to protecting the environment.

ALTERNATIVE DISPUTE RESOLUTION

Mr White: My question is for the Attorney General. In June of this year the standing committee on administration of justice submitted a report entitled Alternative Dispute Resolution. Although much has happened since that time, I am sure the Attorney General will recall the report. "Alternative dispute resolution" is a catch-all phrase which includes such activities as mediation in family law and consensual deliberation of native people and labour arbitration. The justice committee report had several recommendations for the Ministry of the Attorney General that would affect government support for that conflict resolution mechanism. Is it the intent of the Attorney General to consider and possibly follow through with those recommendations?

Hon Mr Hampton: I want to thank the member for the question because it is certainly a timely question, given some of the situations we currently have in the court system. I want to say this in answer: The Ministry of the Attorney General wants to explore and evaluate the use of alternative dispute resolution methods over the next few years, and to this end the ministry has designed a family mediation pilot project in conjunction with the Unified Family Court in Hamilton. As well, there are pilot projects ongoing with some first nations communities in northern Ontario to design alternative dispute resolution methods for native justice.

But I also want to say to the member that where alternative dispute resolution has been tried in the United States, it has been somewhat controversial. It has been controversial because in some cases it has been found to have been unfair to women, to the poor and to some minority groups. So while we want to explore and evaluate, we want to take great care in the projects that we do initiate to ensure that they are fair to the people in society whom we have to serve.

TRADE WITH MEXICO

Mr Kwinter: In the absence of the Minister of Industry, Trade and Technology, I have a question for the Premier. A seminar was held in Montreal last week sponsored by the International Trade Centre in Montreal. The meeting was attended by federal trade officials and business leaders. It was held to discuss a free trade arrangement between Canada and Mexico and wound up urging that Canada should enter into a free trade agreement with Mexico.

This weekend, Edward Ney, the US ambassador to Canada, said that Canada must decide by 1 February 1991 whether to accept the United States and Mexico's ground rules for Canada's participation in a three-way free trade deal. Can the Premier tell us if his government is in favour of a Canadian free trade agreement with Mexico?

Hon Mr Rae: No, I am not. Let me be very direct with the former minister, whose experience in this field is well known. Let me say this to him very directly. He will know, because he was formerly the minister and he expressed these views on a number of occasions, how poorly Canada did and fared under the free trade arrangement with the United States. He will know that the federal government, which promised us the greatest adjustment measures in the history of civilization, to paraphrase the words of the Prime Minister, failed totally to deliver on that. He will know that there are thousands of workers and communities that are worse off as a result of the way in which the previous free trade agreement with the United States was negotiated.

We now have the second phase of the American administration's agenda with respect to trade, and I say to the member for Wilson Heights as clearly as I possibly can that I do not intend to subscribe to that agenda on behalf of our government. Our government does not subscribe to that agenda; I have indicated that to the Prime Minister. It has been indicated to Mr Crosbie by the Minister of Industry, Trade and Technology how strongly this govern-

ment feels that the federal government has an obligation to live up to its own commitments to the workers of Ontario and Quebec and Atlantic Canada and western Canada. It has an obligation to make good on those before it starts talking about any other arrangements that are going to be made which are going to leave our workers even more vulnerable than they already are under the existing arrangements.

Mr Kwinter: The Premier has indicated that his government is opposed to a Canada-Mexico free trade agreement. The New Democratic Party was very critical of what it called the ineffectiveness of our government's opposition to the US free trade deal and vowed that if it were elected, it would not be held hostage and would do everything in its power to frustrate any of the provisions in the agreement that fell under provincial jurisdiction.

In spite of these grandiose statements, the speech from the throne made no mention of what the Premier would do about the Canada-US free trade agreement. His government allowed 650 53-foot trailer permits to be picked up by Americans, to the detriment of Ontario manufacturers and users. He has just done a total about-face and issued another 400 permits without any provision that they in fact stay in Ontario for Ontario users.

The Premier called a Canada-US-Mexico free trade agreement: "...unconscionable. It is an absurd adventure inspired by US President George Bush." Could the Premier tell us what measures he and his government contemplate to effectively oppose what they have labelled an absurd adventure?

1450

Hon Mr Rae: I do not know how one can make any clearer than I already have the views that we have expressed. We intend to discuss these views with other governments across the country, and we shall continue to do that. We have met already with groups in this province and elsewhere that are very concerned about the direction of federal trade policy.

I know that there have been meetings by others who have been down to Mexico and met with the opposition in Mexico in terms of their views. It is my understanding that the leader of the opposition in Mexico may well be coming to Canada in the new year, in which case I can tell him and tell the member that I would be more than pleased to meet with him to discuss the real interest that we both share with respect to improving working and living conditions in our two countries, and these are actions that we are going to continue to take, because we believe that the federal trade agenda and the Republican trade agenda coming out of the United States are not trade agendas which serve the interests of the working people, indeed all the people, of this province. We are going to continue to maintain our position, to attempt to persuade others of its merits, to work with other groups that we want to work with and to do what we can to see if we cannot turn this strategy around.

NURSING STAFF

Mr Eves: I have a question of the Minister of Health. As the Minister of Health is undoubtedly aware, the

contract between the Ontario Hospital Association and the Ontario Nurses' Association expires on 31 March 1991, a few short weeks from now.

Last Friday, the Treasurer, as the minister is aware, met with the Ontario Hospital Association. A report coming out of the meeting—I am quoting from the *Toronto Star* now so as not to offend any cabinet minister over there—said, referring to Mr Laughren, "He also suggested that an NDP election promise to pay nurses more could prove too costly during a recession." The NDP "'made a lot of promises in the campaign that were extremely expensive,' Laughren said."

Do they not realize what position they are putting the Ontario Hospital Association in with that type of approach? How can they expect the OHA to negotiate and bargain in good faith with the ONA when it does not know how much money, if any, the Treasurer is going to give it?

Hon Mrs Gigantes: I think that question should be referred to the Treasurer.

Hon Mr Laughren: Could I commence by thanking my former friend the Minister of Health for referring the question.

I am not sure what the member for Parry Sound is getting at. What I said to the Ontario Hospital Association was that I understood that it was its responsibility to bargain with the nurses of this province. I also said—

Mr Eves: Is the Treasurer going to give them the money the Premier wants them to have?

Hon Mr Laughren: I do not give the money to the nurses of the province of Ontario.

Mr Eves: Yes, you do.

Hon Mr Laughren: The member for Parry Sound should understand, if he would listen for a moment, that what we do is we announce a major transfer from the province to the Ontario Hospital Association.

Mr Eves: I understand exactly how the system works. The Treasurer gives the money to the hospitals, they give it to the nurses. That is pretty simple.

Interjections.

The Speaker: Could the Treasurer take a seat for a moment, please? Would the member take his seat, please?

Mr Scott: Who are all these hecklers, Mr Speaker? That's awful.

The Speaker: Yes, I wonder. I am gratified that everyone had a nice rest on the weekend. They came back full of energy, which is quite wonderful. Earlier in the question period, a member had a question about process.

Interjections.

The Speaker: I will make one more attempt. The process that is in place here is that a question is asked and then there is an opportunity for response. That is a process which we will follow.

Has the Treasurer completed his response? Supplementary.

Mr Eves: I am glad the Treasurer thinks that it is not his responsibility. I think he just said a few moments ago, "We don't pay nurses." I would like to him read a quote

from an emergency debate of his leader's, 15 February 1989, to see what the Premier thinks about whose responsibility it is to pay nurses. These are all direct quotes from the Premier:

"The question is a commonsense approach to a problem which is one of health and of life."

"If it is not working well enough to attract and keep nurses, then as a government which is the paykeeper, as a government which is in fact responsible for paying nurses' salaries, that government ought to be there saying to the hospital association and to the nurses' association: 'This isn't working well enough. We want you two to get together and find a solution, and we are prepared to be the funders of the decisions that you arrive at.'"

The Premier says it is the Treasurer's responsibility. The Treasurer should talk to the Premier. He says the Treasurer funds what they decide. Is that correct? Does the minister agree with what the Premier said or not?

Hon Mr Laughren: I will try once again.

Mr Eves: The Premier said they are responsible to pay the nurses; the Treasurer said they're not.

Hon Mr Laughren: Through the Ontario Hospital Association, we provide the funds.

Mr Eves: Oh, now they are. Thirty seconds ago they were not.

The Speaker: Would the Treasurer take a seat please? The member for Parry Sound asked a very important question, and the assumption is that he would like a response. It would be much easier, the member would find, if he were not to interject while the response is being given.

Hon Mr Laughren: I think the member for Parry Sound does understand how the system works.

Mr Eves: I understand exactly how it works.

Hon Mr Laughren: Therefore, I do not understand why he is asking the question. He is trying to find more information about it.

Mr Eves: Is the Treasurer giving them the money or not?

Mr Sorbara: You say they need more, but you won't give them the money.

Hon Mr Laughren: I am trying not to be provocative. Surely the member for Parry Sound understands very well that we provide funds to the Ontario Hospital Association, which in turn bargains with the nurses of the province and comes to some kind of settlement. What I said to the Ontario Hospital Association the other day was I understood what its demands were. They were extremely well documented. The OHA has a very good reputation of not putting phoney numbers in front as a bargaining ploy. I said to the OHA we do understand what the needs are. I hope that they understand, as well, that we cannot satisfy everybody's needs at this point.

Mr Eves: We can't keep the promise we made during the election.

Interjection.

Hon Mr Laughren: If the member would please listen for a moment, he would understand that we are going

to do the best we can, all within a framework of fiscal responsibility.

RENT REVIEW

Mr Owens: My question is for the Minister of Housing.

Mr Elston: This ought to be good.

Mr Owens: Absolutely. Pay attention.

For the past couple of weeks since we announced our rent control moratorium, we have heard the leader of the third party, we have heard the honourable member for Dufferin-Peel speaking about how the poor, downtrodden landlords are being stepped on one more time.

We received information that the building of the residents at 506 Dawes Road in East York has been requested to undergo a rent review to the tune of 39%, and I wonder if the minister is aware of that request.

Hon Mr Cooke: Actually, I became aware of this situation late last week both from honourable members but also from a letter that I received at my office. If I might read, in part, this letter, I think it would be of interest to the members of the Legislature. Besides outlining the case, the letter that I have reads as follows:

"I know that you are aware, as I am, of the very grave situation that exists in rental housing and the extreme hardships that result when there are rent increases of the magnitude outlined in Mr Courvell's letter. I know as well that you have undertaken to make changes in the rent review legislation to increase the protection for tenants."

This is the important part: "I trust that you will be proceeding with your contemplated changes without delay."

This letter came at the end of last week, and I appreciate this letter from Alan Redway, the federal Minister of State (Housing).

1500

Mr Owens: The Conservatives should listen well.

I am wondering if the minister could provide any suggestions to the third party on how it can provide a more coherent co-ordination of responses between its federal and provincial counterparts.

Hon Mr Cooke: What I would suggest is that the provincial Conservative Party take the advice of the federal Conservative Party and let us proceed as quickly as possible to protect tenants in this province.

NON-PROFIT HOUSING

Ms Poole: My question is also for the Minister of Housing. In the Agenda for People, and indeed throughout the election campaign, New Democrats promised the construction of 20,000 non-profit homes per year to be built by the year 1992. I would like the minister to confirm now in this House the completion date for the first 20,000 non-profit homes under this program.

Hon Mr Cooke: I would be glad to inform the member, as I have said in the Legislature to other members, that because of the process of reallocation and speeding up the Homes Now program, next year it is our projection that we will produce in this province and start around 20,000 units,

the largest number of housing starts ever in the history of this province.

Ms Poole: I am glad to have the commitment of the Minister of Housing that the government will indeed construct those 20,000 units, but unfortunately that was not my question. My question was, when?

I would like to ask the minister about another aspect of affordable housing. He has said that 33% of tenants in this province are paying more than 30% of their income on rent and many of those people cannot wait several years for non-profit housing to be built. They actually need help now.

This minister and this government have said that they are the champions of these very people. If this is true, why has this minister not put a penny more into convert-to-rent programs? Why has he not provided any more money for rent supplement programs such as in situ placement? If the minister is so committed to social housing, why is he not providing any more money to these programs and providing it now?

Hon Mr Cooke: What I indicated to the member was that under the Homes Now program there were 30,000 units committed or promised by the former government. It was a good program. It still is. The problem is that most of the housing was never produced under that government. So we have gone through a process of reallocation. We are looking at the sponsoring groups that cannot start their homes by next year. We have changed the starting date from 31 March to the end of September to make sure we can get as many housing starts as possible under the Homes Now program, and that will now happen.

In terms of other programs that exist, the member knows as well as I do that we are now in the process of developing an entire housing strategy, part of which is the Homes Now program, and social housing, part of which is an effective rent control system, and there will be other programs that will form part of that housing strategy, the reform of the planning process.

I would just ask the member to give us a few more months to pull that package together and develop for the first time in this province a comprehensive, all-inclusive housing strategy.

BRANTWOOD RESIDENTIAL DEVELOPMENT CENTRE

Mr Jackson: My question is for the Premier. The Premier will remember the E coli bacteria outbreak at the Extendicare London Nursing Home in September 1985 in which 19 residents died. He will recall that on 17 October 1985, as the then leader of the third party in this House, he demanded that the then Liberal government launch a full investigation rather than a simple coroner's inquest to investigate those deaths. He went so far as to call on the Attorney General of the day to lay criminal charges in that case under Ontario's Nursing Homes Act. I invite him to revisit Hansard, page 939, of that day. Yet when it came to the circumstances surrounding the Brantwood Residential Development Centre, where 15 residents died and there were reports of abuse and serious injury, the Premier refused

to apply the same standard of a police investigation for the safety of vulnerable adults in that provincial institution.

My question is, advocacy groups for vulnerable adults are very much aware of the reversal of the Premier's position that he took when he was sitting here in the third party from that which he is now taking as Premier. They want to know why it is that he has betrayed his own social conscience when it comes to vulnerable adults in residential, provincially run institutions in this province.

Hon Mr Rae: Two weeks ago at about seven o'clock in the morning, together with the Minister of Community and Social Services, I visited the Brantwood centre. It was a totally surprise visit. It was prompted by my desire to simply be there and to visit and to get a chance to talk to people in the facility. The member has said something about abuse and about evidence of activity by people. If he has any evidence, he has a responsibility to bring it forward. I am not aware of any.

I have read thoroughly the reports which are publicly available with respect to the circumstances at the Brantwood centre. There have been staffing problems with respect to feeding time which were well documented at the centre. I want to tell the member, we are dealing here with people of all ages who are extremely medically fragile. I would also urge him and any other member who is concerned about the care of anyone in any provincial facility to go and visit and see for themselves the work that is being done, the care that is being provided, and if he has any evidence with respect to concerns, to make those concerns publicly available and to bring them to the attention of the public authorities who are responsible.

I say to the member, I have been as true to my social conscience with regard to the care of developmentally disabled people as I possibly can. There is a coroner's inquest that is now ongoing. To compare that situation with the outbreak of an E coli bacterium in the Extendicare London Nursing Home five years ago is not a fair comparison. We are dealing with a very different situation, with a very different result and with a very, very different set of circumstances.

I would say to the honourable member, if he has any other evidence with respect to the care there or anywhere else, he should please bring it to the attention of the public authorities. He does not have to bring it to my attention; he should bring it to the attention of the Attorney General or anyone else, and if there is any evidence that the police—the police are able to read these reports; they are publicly available. The Attorney General's department can read the reports; they are publicly available. If there is any evidence that anyone has died as a result either of deliberate malfeasance or criminal negligence, that evidence is something which should be dealt with, not on a political basis by the leader of any party, but by those public authorities.

Mr Jackson: An examination of Hansard five years ago will confirm that the Premier, who is also a lawyer by profession, had some very different things to say about a very different standard of care for vulnerable adults. I would remind the Premier of one further item. Not only did his Agenda for Reform in 1985 not have a specific

statement about protection of vulnerable adults, he will recall that during the committee hearings on Bill 176, An Act to amend the Nursing Homes Act, the member for Lincoln and I brought in an amendment to extend nursing home residents' protection under a bill of rights to include all citizens in Ontario, including those under the Homes for the Aged and Rest Homes Act, to include all health care consumers. This was in 1986. I was shocked and dismayed when the NDP members for Hamilton West and Windsor-Riverside withdrew support for that amendment, one can only assume, with the understanding and blessings of the then leader of the third party.

The Premier's record is very clearly one in which he did not support the full extension of protection and rights for vulnerable adults in provincial institutions, and I ask him again on their behalf why it is that he has reversed himself on this critical position, especially in light of the deaths at Brantwood Residential Development Centre in Brantford?

1510

Hon Mr Rae: The member is someone whose arguments I always listen to with great interest and whose description of my views I always have learned to take with a certain grain of salt. I have a reasonably good memory. It is not photographic, but it is not too bad.

Mr Bradley: It's selective.

Hon Mr Rae: The member for St Catharines says that it is selective. It is not anywhere near as selective as I would like it to be because some things come back to haunt me late at night.

I would like to say to the member for Burlington South that I think we are being truest to our principles in our party. We said very clearly in the throne speech what we are going to do and what we plan to do on advocacy and the kinds of measures that we want to take in that regard. I hope we have demonstrated that in terms of the speed with which we have responded to the situation at Brantwood, to all of the allegations with regard to what took place or the circumstances surrounding them which have been a matter of record since the mid-1980s.

I say to the member that to compare that with respect to the question of whether charges should be laid under the Nursing Homes Act with respect to the London Extendicare situation is just not a fair comparison. We are talking about two very different situations.

But I want to say to the member that there will be lots of things to be done with respect to advocacy, lots of things to be done with respect to rights. We have asked Mr Lightman to look at the question of the care of those people who are in retirement homes. We are moving ahead very directly with respect to the situation at Brantwood. I can assure the member that if he has any other evidence with respect to problems we would be more than pleased to hear of it.

MOTION

BUSINESS OF THE HOUSE

Miss Martel moved that notwithstanding standing order 94(h), the requirement for notice be waived with respect to ballot item 4.

Motion agreed to.

PETITIONS

RETAIL STORE HOURS

Mrs Mathysen: I have a petition from the members of the Oakridge Presbyterian Church of London, Ontario, asking the members of the Legislative Assembly to ensure that we have a common pause day in the province of Ontario. I have affixed my name to this petition.

HERITAGE CONSERVATION

Mr Winninger: I have a petition of 34 names supporting the protection of designated buildings in the city of London by passing the private member's bill introduced by me on 6 December 1990.

I have a second petition signed by various members of the business community in London who support the legislation designed to preserve heritage buildings in London and requiring that a building permit be issued by the municipality before their demolition. This petition has 51 names.

INTRODUCTION OF BILLS

MENTAL HEALTH AMENDMENT ACT, 1990

Mr Callahan moved first reading of Bill 27, An Act to amend the Mental Health Act.

Mr Callahan: To enlarge on what I said in my private member's statement, the purpose of this bill is to ensure that an appeal from an order disallowing treatment would be made within 30 days from the filing with the district court, or in this case the Ontario Court (General Division), and secondarily that there will be provision for an interim application to a judge pending the hearing of the appeal to allow medication to continue. That basically is a start on the mental health amendment.

Motion agreed to.

CLASS PROCEEDINGS ACT, 1990

LOI DE 1990 SUR LES RECOURS COLLECTIFS

Mr Hampton moved first reading of Bill 28, An Act respecting Class Proceedings.

M. Hampton propose la première lecture du projet de loi 28, Loi concernant les recours collectifs.

Motion agreed to.

La motion est adoptée.

Hon Mr Hampton: The Class Proceedings Act, 1990, will make available a comprehensive procedure for claims on behalf of numerous persons who have suffered the same loss or injury. The procedure is designed to provide a more efficient and streamlined method for the court to deal with complex litigation affecting the interests of hundreds or even thousands of persons.

I want to acknowledge at this time the work done by the previous Attorney General who worked very long and

very hard on this legislation. I am pleased now to be able to present it to the House.

**LAW SOCIETY AMENDMENT ACT
(CLASS PROCEEDINGS FUNDING), 1990**

Mr Hampton moved first reading of Bill 29, An Act to amend the Law Society Act to provide for Funding to Parties to Class Proceedings.

Motion agreed to.

Hon Mr Hampton: This is really complementary legislation to the Class Proceedings Act. What it will essentially do is endow a class proceedings fund in the amount of \$500,000. The fund will be used to assist plaintiffs in class proceedings with disbursements and cost awards.

1520

**EDUCATION AMENDMENT ACT
(MISCELLANEOUS), 1990**

Mrs Boyd moved first reading of Bill 30, An Act to amend the Education Act.

Motion agreed to.

Hon Mrs Boyd: I am pleased to introduce the Education Amendment Act (Miscellaneous), 1990. This act updates the Education Act with respect to freedom-of-information and protection-of-privacy legislation and gives legislative support in the following six areas: first, release of basic personal information to medical officers of health; second, continued collection of personal information in the Ontario student record; third, funding for school-based child care facilities; fourth, payment of sick leave gratuities for designated teachers; fifth, additional programs for students with special needs in demonstration schools, and finally, copyright licence agreements.

Hon Miss Martel: Before the fourth order is called, might I make a note of two things. One, we would like the votes to be stacked and I believe we have unanimous consent to do that for the four bills that will go through committee today, and two, at each point when a minister starts to deal with a new bill, can the minister move down to the front and have his staff join them at the front?

Hon Mr Wildman: I don't need it.

Hon Miss Martel: Well, for the other ministers who will require staff.

The Speaker: The government House leader may likely be aware that the request she has made should properly be made during the committee sitting.

Was there a point of order?

Mr Eves: Mr Speaker, just to comment on the government House leader's suggestion, I believe it is also agreed among the three House leaders that the vote on Bill 4, which we will be debating later this afternoon or probably this evening, will also be stacked until tomorrow.

ORDERS OF THE DAY

House in committee of the whole.

**MANITOULIN, BARRIE AND
COCKBURN ISLANDS LAND ACT, 1990**

Consideration of Bill 15, An Act respecting Land on Manitoulin Island, Barrie Island and Cockburn Island.

Hon Miss Martel: I might ask at this point in time that when the bills come up the ministers may be allowed to move to the front of the benches and have their staff join them. We will be dealing with four bills, we hope, this afternoon.

Agreed to.

The Chair: Any questions, comments or amendments, and if so, to which section of the bill?

Hon Mr Wildman: I have amendments to schedules 1, 2 and 3, but I do not have amendments to any sections of the bill.

Sections 1 to 7, inclusive, agreed to.

The Chair: Mr Wildman moves that the schedules to the bill be amended as follows:

1. In schedule 1,

(a) under the heading "Secondly" and under the sub-heading "Fourteenthly," by striking out the words "lots 20 and 21, concessions 20 and 21" and substituting "lot 20, concessions 20 and 21 and lot 21, concession 20";

(b) under the heading "Fourthly" and under the sub-heading "Firstly," by inserting after "by the" in the third line "shore";

(c) under the heading "Fourthly" and under the sub-heading "Eleventhly," by inserting after "T660" in the second line "and recorded in the land registry office for the district of Manitoulin as number 28"; and

(d) under the heading "Sixthly" and under the sub-heading "Eighteenthly," by striking out in the second paragraph, "Save and Except from the lots, streets and road allowances described as Firstly through Seventeenthly above, those parts of the said lots and streets," and substituting "Save and Except from the road allowances described as Firstly through Eighteenthly above, those parts of the said road allowances."

2. In schedule 2, under the heading "Fourthly" and under the subheading "Thirdly" by inserting after "where the" in the second line "westerly production of the".

3. In schedule 3,

(a) under the heading "Fourthly," by inserting before "as" in the third last line "all";

(b) under the heading "Fifthly," by striking out "lots 2 to 5" on the ninth last line and substituting "lots 1 to 5"; and

(c) under the heading "Fifthly," by inserting before "as" in the third last line "all."

Hon Mr Wildman: The purpose of these amendments to the schedules is simply to clarify boundaries, the legal descriptions of the various boundaries of the properties that are being dealt with in the schedules. It is essentially a housekeeping matter to make it correct and accurate so that everyone involved understands the proper boundary lines.

Motion agreed to.

Section 8 agreed to.

Bill, as amended, ordered to be reported.

Hon Mr Wildman: Mr Chair, if you would permit me, I would just like to say once again thank you to all the members for their support of this historic bill and to

congratulate once again all of the participants, the chiefs, the officials of the Ontario native affairs directorate and all involved in Manitoulin Island for their work to bring this historic agreement about, and to say once again that this is just the beginning.

1530

**EMPLOYMENT STANDARDS AMENDMENT ACT
(PREGNANCY AND PARENTAL LEAVE), 1990**

Consideration of Bill 14, An Act to amend the Employment Standards Act with respect to Pregnancy and Parental Leave.

The Chair: Are there any questions, comments or amendments, and if so, to which sections of the bill?

Mr Offer: I understand the member will be bringing forward an amendment to the legislation, not the government side, and I am just awaiting a copy of that amendment.

Mrs Marland: We do have amendments. We are just getting the copies.

The Chair: We will wait for them.

Mrs Marland: Thank you. We appreciate that.

The Chair: When you are ready to proceed just tell us and we will start.

Hon Miss Martel: If I might, the staff of the Ministry of Labour are not here yet, and the minister would really like to wait for them to proceed. However, I have checked with the House leader for the official opposition, and he is prepared to start with the next order, Bill 1 in committee of the whole; the minister's staff for that bill are here if we might proceed to that instead and hold up on Bill 14 for the moment.

The Chair: Agreed?

Agreed to.

RETAIL SALES TAX AMENDMENT ACT, 1990

Consideration of Bill 1, An Act to amend the Retail Sales Tax Act.

The Chair: Are there any questions, comments or amendments and, if so, to which section?

Mr Elston: I do not know whether the minister will have any opening remarks, but with respect to our comments, they will be really on the first three sections or so initially, although we would like to go to two or three other sections of the bill that deal with the efficiency components of raising tax revenue from small business and other people. Our remarks will be on individual sections generally. There are no amendments, because we believe those would be defeated in any event, but we do wish to raise the issues of policy around the sections.

The Chair: We will just have to go through section by section.

Hon Ms Wark-Martyn: I have no comments at this time, thank you, Mr Chair.

Section 1:

Mrs Y. O'Neill: The passage of section 1 will involve unnecessary complexity by assuming that vendors are going to apply the goods and services tax separately on the

basis of each individual purchase. This complexity will be much worse for those vendors who supply a variety of goods and services which differ in their taxation status. I would ask if the minister could tell us what she is doing to help those vendors, particularly the small business people, in handling this complexity with a variety of goods in corner stores in particular.

Hon Ms Wark-Martyn: What we are doing is we are not getting involved with the GST so that the federal government will be involved with showing them how they are going to collect the tax. We are keeping the retail sales rules as is, and they will comply by those rules; any added problems will have to be dealt with by the federal department.

Mr Elston: My colleague and I have not had a chance to get our questions co-ordinated here because of the movement of the bill earlier in the day, but I did want to say in general, and note for the people who are watching this proceeding on the air, that the bill implements the government's policy not to have purchasers pay retail sales tax on top of the proposed goods and services tax. That is the general intent of this legislation.

I want to talk about that just for a moment, if I might, and ask the minister—who spoke very eloquently on the introduction of second reading for this bill and actually summed up very eloquently—what, if this is one part of the goods and services tax revolt, are the other parts of the goods and services tax revolt which might be included along with these early sections of this particular bill?

I think it would be only fair to have a complete tax revolt encased in this legislation if there are any other parts of the program that needed to be put into the Retail Sales Tax Act. Therefore, it is only fair that we now know the other components of the retail sales tax revolt with respect to GST so we can enumerate the necessity for amendments to this particular proposal.

Hon Ms Wark-Martyn: I guess the other part of the revolt is the court challenge that we are facing.

The other thing that will come to light as soon as the GST begins to be implemented is that the federal government is not ready. Our not co-operating with it in the collection of the tax will create more of a revolt among the consumers and vendors in the province.

Mr Elston: In the event that the minister is correct and the more difficult steps put in place by the ministry have actually caused some delays and some—what do we say?—inability on the federal government's part to implement the system, can she give us some precision as to the delaying tactics which her ministry has implemented so that I can understand how she has caused the delay of implementing the federal goods and services tax as part of her tax revolt?

Hon Ms Wark-Martyn: My ministry is not causing the delay. By not co-operating and saying, "We will collect this together; you can give us back our money and we'll make sure you get yours," the federal government is responsible on its own for getting this tax out of the vendors of the province. By making some things comparatively

the same, it will make sure that we get our revenue. That is what we are trying to do: protect our provincial revenue.

Mr Elston: I am sorry I was sort of taken off course by the minister's first answer. The interesting item I had heard was that there are other parts to her tax revolt as well. Will the ministry itself be playing a role in this tax revolt, or has she encased it all here in these provisions of this amendment act?

Hon Ms Wark-Martyn: At this time, I cannot see any other part that the ministry itself would be playing in a tax revolt.

Mr Elston: It is interesting that the minister has enumerated the court challenge. Is there another component to the minister's tax revolt on the GST that will be a companion piece to these amendments?

Hon Ms Wark-Martyn: This amendment is not to stack the tax on the tax. I think as we watch, as I have said before, there will be problems with collecting the GST by the federal government. What we are doing is not making it easier for it to implement the collection of the GST.

Mr Elston: If I can just stray for a moment to later sections of this bill, the interesting part is that she is requiring the retailers of the province to keep records for an extended period of time; she has increased it from three years to four years. Will those records be made available to federal authorities, since the minister is not making it easy for the federal government to collect, particularly as they relate to charges of retailers and others not providing their required remittances to the federal government?

Hon Ms Wark-Martyn: I think those records are available to the federal government. As for being under the Freedom of Information and Protection of Privacy Act and everything that falls there, they are available for anybody. It is the federal GST that is requiring the keeping of the records for that long.

Mr Elston: I find that a little bit of a problem because under freedom-of-information legislation, of course, the records of any individual retailer are only available to that retailer and are not generally disseminated widely by ministries for any purpose, whether it is in Revenue or otherwise.

I would find it very difficult to accept that she is using freedom of information legislation now to expose retailers in this province who have been—what will we say?—disadvantaged with respect to the GST to her ministry's assistants, along with federal authorities, in tracking down unpaid GST.

Can the minister reconfirm what I just heard, that she will be working with the federal authorities to convict those people who do not remit their GST?

both make them keep them for seven years. We have to stay competitive so that we have that information also.

Mr Elston: While we are tracking down what the tax revolt is about on the goods and services tax, I think we need some clarification on exactly what these people are really requiring the retailers to do. They are going to require that they keep their records longer; in fact, the records which the retail sales tax ministry has available for its own use will be made available to the federal authorities and those will be used in investigations and in tracking down and convicting the retailers who do not remit goods and services tax. Can the minister tell me, is that not correct?

Hon Ms Wark-Martyn: They will be used and will be kept one year longer than they are now; that is correct. As for using them for any decisions, as far as I know, we will be using our records for our purposes and they will have their access to them just like anybody else has in the government.

Mr Elston: This is kind of disturbing because records of individual retailers generally are not widely available to anybody who wants them. I cannot go in and get a retailer's records. I had heard the minister say that she will be making the records available for retail sales tax purposes to the federal authorities so they can use them for their investigations and for tracking down those individuals who had not remitted goods and services tax. That being the case, the ministry—far from assisting retailers and consumers in mounting a tax revolt—is actually helping the federal authorities to track down those people who do not remit goods and services tax.

Can the minister tell us she will now amend this bill so that the federal authorities will not be assisted in tracking down people who through no fault of their own have not remitted goods and services tax? I think we all understand that this particular federal legislation is extremely complex and unusually slow in getting implemented, but the federal authorities have gone on anyway, and now this bill will allow the federal authorities to come in and use the Ministry of Revenue here, the retail sales tax branch, to find those people who are delinquent in paying federal money.

Can the minister tell us that she will want to amend this legislation to protect the retailers in the province of Ontario, thereby assisting in the tax revolt that her leader and she probably both campaigned on August last?

Hon Ms Wark-Martyn: There is an exchange of information with the feds on a reciprocal basis so we can collect our provincial sales tax and they can collect their GST. In that way, we have to work together. The federal government also has powers to get access to that information itself through its own auditors.

Mr Elston: This is a wonderful piece of information to the retailers in Ontario. This person who represents the New Democratic Party government has clearly stated that the goods and services tax, which is a brand-new tax in Canada, has a requirement for reciprocal exchange of information and that, far from leading a tax revolt, her government is helping to convict those people who do not remit goods and services tax. It can only be described as

Hon Ms Wark-Martyn: We will not be working with the federal authorities for remitting the GST. What we are looking at is protecting the provincial sales tax. We are paralleling that. The stores have to keep it for seven years anyway, so why make two different sets of rules in that regard? They have to keep them for seven years so let's

being complicit. In fact, the minister is not only parallel-ing; she is assisting the federal authorities in ripping the money from the hands of the retailers of this province.

I do not understand how they can stand up and keep telling us that they are leading some kind of tax revolt when they are actually having provisions in these sections of the bill which allows them, the Minister of Revenue for Ontario and the NDP government, to assist the federal revenue gatherers under the goods and services tax. I cannot understand why the minister is not amending this particular legislation, now that we are in committee of the whole House, to exclude any kind of co-operative activity on the part of the Ministry of Revenue with respect to goods and services tax collection.

I am not going to curry favour with the two gentlemen who are there assisting the minister, but the Ministry of Revenue is probably recognized as the best revenue department in Canada that has been collecting retail sales tax and other things, and yet they are saying that because we need some co-operation with the feds, who cannot get their act together on the goods and services tax, that we have to co-operate with them to share our information about those retailers who probably have not sent their goods and services tax in. I find that extremely difficult to accept, when we are supposed to be seeing a government that is leading a goods and services tax revolt.

What amendment is the minister prepared to propose so we can protect the retailers of this province who have been put out and who in fact have been strangled by the goods and services tax debate and the requirement to upgrade their machinery and other things that allow them to remit the tax?

I cannot believe the government is actually going to assist the feds in convicting people who do not remit it. Would the minister not say that she should help those people if the government is leading a tax revolt rather than hindering those people who do not remit goods and services tax?

Hon Ms Wark-Martyn: I have said already that the federal government has its own powers to investigate the vendors' records. It has the right to do that. What we want to do is also to have that power to collect the provincial sales tax. We do not want to co-operate with the GST. We all know the GST is the wrong tax for us right now, at this time, or at any time.

There is no way that this government, or probably the former government or even the other former government over there, wants to initiate and say hurray for the GST, and no one in Canada wants to say hurray for the GST. We do not want to encourage the GST.

I think as we watch the GST unfold in front of us, we are bound to see some failings on the part of that government.

Mr Elston: I just want to follow along that line for a couple of more moments so I can understand what this minister has just said. Has the minister just said that because of the necessity of her ministry receiving duplicate information from the federal authorities in order that she can collect more money, she has to co-operate with the

federal authorities? And is she telling us that some secret deal has been made between her officials and the federal authorities to share information that allows both the federal Treasury and the provincial Treasury to extract more money from the pockets of the retailers of this province? That is what I heard the minister say. What is the deal?

Hon Ms Wark-Martyn: No, it is not. The reciprocal exchange applies to the Excise Tax Act. GST is to become part of that act, in co-operation with customs and excise on sales. Sales tax, tobacco tax and fuel tax have gone on for many years and have been very successful in fighting evasion, and that is what we are planning to continue to do.

Mr Elston: I think this is a very interesting line of questioning upon which I have embarked because it really tells us that, far from leading a tax revolt, these people are complicit in making sure that the individual retailers of this province pay the goods and services tax. They not only have said that, but what they have indicated to us quite clearly here in this House in front of the TV cameras is that they have made a deal with the federal authorities to exchange information which allows the federal authorities to extract the goods and services tax and which also allows them to get information that will allow them to extract money from the retailers of the province with respect to retail sales tax remittances.

Can the minister confirm that, far from a tax revolt, she is leading a crusade to harvest far more dollars from the retail tax remitting people of the province?

Hon Ms Wark-Martyn: Interpretation is wonderful, I always said. The reciprocation of exchange of information has been there in the past. We want to keep it there so we can have exchange of information with the federal government. We want to protect the provincial sales tax. We do not care about the GST.

Mr Elston: Can I just get the minister to admit what in fact occurs as a result of exchange of information? The exchange of information helps the Ministry of Revenue in Ontario rip more money from the pockets of the retailers. Is that not correct? And the exchange of information from the Ministry of Revenue in Ontario will help the goods and services tax investigator from Ottawa track down and rip from the pockets of the retailers of this province more federal revenue. Is that not why the minister wants the exchange of information?

Hon Ms Wark-Martyn: No, it is not why we want the exchange of information. We need the exchange of information so we can administer the tax collections more effectively and efficiently.

Mr Elston: Effective and efficient management of a tax collections network. For those people who want to know what she really said was, this will allow the Ministry of Revenue for Ontario to get more dollars more quickly into the government of Ontario Treasury.

Effective and efficient tax revenue collection means they are going to get more dollars, and the information under the deal they have made with the federal authorities to get this money or this information will allow the federal authorities to do better on its collection of tax for goods

and services tax purposes and it will allow the Ontario government to get more money more quickly, and with less pain to the government, out of the retailers of the province.

That is what she said, and I am discouraged that she does not have an amendment. If she says she does not want to help the investigation by the federal authorities, I am surprised she would not decide she would put an amendment in this thing that says no records shall be used at all for any purpose of investigation or of addressing charges for those people under the Goods and Services Tax Act. I think that would be the least she could do since the government has backed right away from leading a tax revolt but is in fact now in complicity in trying to raise federal revenue with these tax-sharing agreements between the Ministry of Revenue in Ontario and herself and her federal counterpart.

1550

Hon Ms Wark-Martyn: My role as the Minister of Revenue is to implement the tax statutes and collect the provincial sales tax for the province. That is what I want to continue to do. I am not interested in the collection of the GST; I am interested only in collecting the provincial sales tax. This is a retail sales tax bill and we are interested in protecting our own revenue. The federal government gets its information already; it is already in the Excise Tax Act.

Mrs Marland: I am just wondering if this minister would like to tell us, in looking at the overall view of retail sales tax in Ontario, whether she has discussed with her ministry staff the possibility of reducing the retail sales tax, which was not a campaign promise of her party but was a campaign promise of the former government, which increased it from 7% to 8%. I am just wondering whether she has any plans to reduce it.

Hon Ms Wark-Martyn: That will be a decision that will be made by the Treasurer and that will also be announced by him.

Mrs Marland: Just as a supplementary to that, I am asking the member opposite, since as Minister of Revenue it is her ministry that would make the recommendations and the implementation would be the responsibility of her ministry. I am asking if she had discussed that before she brought this bill in; whether there is a possibility of reducing it. I am not interested in who is making the announcement; I know who makes some of the budget announcements that have budget implications. I think it is great that the minister is being coached by her colleague but I think she is quite capable of answering the question herself. Is it something that she has discussed?

Hon Ms Wark-Martyn: It is something that will be looked at through the Fair Tax Commission. It will be something that will come up as the Treasurer is doing the budget, as we look at the revenue that is needed.

Mrs Y. O'Neill: My colleague has already brought forward much of the harmonization that I brought to the attention of this House. I really do not think that can be denied. The complexities we are talking about here today and have talked about in the past are going to be very, very difficult for vendors to accept and to deal with. It is even

going to be difficult for auditors. Indeed, the minister must have spoken to some, as I have.

The \$500 million of retail tax saving that is supposed to be the great benefit of this bill will in all likelihood be more than accounted for in the delivery costs and the administration and, hopefully, the public relations that the minister is going to take upon herself with both the consumers and vendors of this province.

Section 11 of the bill provides for the compounding of interest daily. That is new. We have not had compounded interest on the RST in this province to this point. Of course, we also have the extension of the ministerial powers in this area because it could be prescribed otherwise by the minister. This amendment, as I have said before and say again, is a parallel; it is a similar provision with the GST. It certainly is going to add to the bookkeeping costs of vendors across this province. It is going to add to their costs and their responsibilities. This is a technical compliance that harmonizes, as has been brought to the attention of the House this afternoon. The simplification that is talked about in this bill is really simplification for harmonization. There is no intent to simplify things for small vendors in this province.

I would like the minister to tell me—as I had asked in my remarks before, but I do not feel I have had an answer—what is she doing to help these vendors understand a division now of collection, a division which is going to in many ways change the way things have been done, in many ways is going to make the bill necessary for double bookkeeping because she is not going to harmonize, as she says, with the collection, but she is harmonizing in every other clause? That even makes it more difficult for people to understand.

What does the minister propose to do? I have again looked and looked and looked for something that tells the consumers and vendors of this province how this will happen in the stores in less than a month and how they will know what the price on which they are paying is calculated. I do not think that is clear in people's minds. I really feel there has been some negligence in explaining Bill 1 to the people of Ontario and I wonder if she could help us this afternoon on how she is going to do that.

Hon Ms Wark-Martyn: I think many of the complexities that come out of this come out of the GST, which I know we all like to debate around here. The \$500 million in savings is going to go back into the consumers' pockets. The compound interest is to make us competitive. If you had a bill and you had to pay either simple interest or compound interest, you would pay the one with the compound interest first. Therefore, the simple interest one would never get paid or get paid last at all times. We have to protect our revenue in this province and that is what we are doing.

The division of collection comes from the GST, not from the retail sales tax at all. I have talked to many small businesses and they are impressed with us in that we are not making it any more complicated for them. They are wise enough to see that the complication comes from the GST, not the retail sales tax. We are also providing seminars, bulletins and information packages to all those vendors

and consumers so that they can see what we are doing and how we are taking a stand on the GST.

Mrs Y. O'Neill: I am glad there are at least some seminars. I did not know that before. In talking to different vendors, some of them within five minutes of this building, they certainly do not feel that they understand this. The minister has said herself, and now today she has changed that, that this bill is horrendously complex—those were her very own words—and implementation would be difficult and it would require extensive explanation. I am glad that she has begun to do that and I trust that her regional offices are continuing to do that. She has said she does not want to add to the confusion. She is, however, giving what I consider and have said before is very little visible direction. I would like to know what the minister intends to do. She has now talked about vendors. What does she intend to do to help the consumers know in this province that she is doing something different than many of them think she is doing? As I say, I have seen nothing in the press about Bill 1—nothing.

Hon Ms Wark-Martyn: There was a press release, I believe, on 19 October and there was one not too long ago in the press and consumers do know what we are doing. I have talked to many consumers who know that we are not stacking. We are also making sure that they get rebates if there were the two taxes stacked on top of each other. They are informed of that and are aware of that. Some of them are calling my constituency office. I am sure that they are calling the member's office and I am sure that her staff as well as my staff can inform them of the changes and how they can be prepared for them and benefit from them.

Mr Grandmaitre: I understand that this province has an agreement with the federal government to collect the retail sales tax on fuel whenever it is crossing our borders from the United States to Canada. Do we have such an agreement to collect the retail sales tax at the border?

Hon Ms Wark-Martyn: No, not to collect it at the border; no, we do not have that agreement. It is a voluntary tax that should be paid when people who have left the province and have purchased goods come back into the province.

Mr Grandmaitre: Is the minister considering having an agreement with the federal government to collect that retail sales tax at the border?

Hon Ms Wark-Martyn: That will be looked at in the Fair Tax Commission.

Mr Grandmaitre: Will the government be collecting the GST at the same time that it will be collecting the RST at the border?

Hon Ms Wark-Martyn: We do not collect the GST. We have no intention of collecting the GST.

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Mr Grandmaitre: That is not my question. If the minister does have an agreement with the federal government to collect the provincial retail sales tax, and I think she is considering such an agreement right now, will she be collecting the GST at the same time?

Hon Ms Wark-Martyn: Canada Customs collects the GST. We will not be collecting the GST.

Mr Grandmaitre: The minister is telling me that at the present time she does not have an agreement and she is not considering such an agreement. Is that what she is telling me?

Hon Ms Wark-Martyn: That is what I am telling the member.

Mrs Y. O'Neill: I understand that the New Democratic Party, as one of its platforms, talks over and over again about consistency. The minister knows that the tire tax is a tax on tax, she knows the cigarette tax is a tax on tax, and she knows that the sales tax from the federal tax on telephone bills is a tax on tax. I do not see any intention for the minister to bring forward any amendments on any of these. In fact, I see an extension of the tire tax on tax. Would the minister like to speak to those items?

Hon Ms Wark-Martyn: I am sure the member understands that we cannot change the tax system overnight, but I am sure those things will be looked at by the Treasurer in his 1991 budget.

Mrs Marland: I would like to ask this minister if she would be willing to consider doing something which the former minister and the former Treasurer would not agree to.

The area that I have a great deal of concern with is when the tire tax was brought in, it was not brought in as a dedicated tax. I argued vehemently at the time with both the Minister of Revenue and the Treasurer that it was unfair to the people of this province to impose this tire tax under the guise of all that money going to environmental programs and not dedicating it for that purpose.

It is very significant because in one year the tire tax amounted to in excess of \$50 million. We have \$50 million that is undedicated, that is in the end of the black tunnel, the general reserve account, the consolidated revenue fund, which is that no-name pot. We had that tax imposed on the people of this province and, frankly, supported by a lot of people in this province. A lot of people were quite happy to pay a tire tax if that money was to go to the safe disposal of tires in Ontario today.

At the time of the Hagersville tire fire, which was about nine months after the tax was imposed—the tax was imposed in June 1989, if I recall correctly—there had been \$1 million appropriated to programs for the safe disposal of used tires and then subsequently, after the tire fire, there was another \$15 million identified for research into programs and development of a technology for safe disposal of used tires.

As far as we know, of the \$50 million-plus that has been collected in one year by the Minister of Revenue, and consequently the Treasurer in reverse, we still have a balance of \$34 million that has not been identified for the very purpose for which the tire tax was established in the first place.

I ask the minister today whether she as Minister of Revenue would be willing in the near future to have an amendment whereby the money collected under the guise

of taxing all new tires in the province for environmental programs—it is probably hard to hear when she has her staffer talking to her at the same time as I am. I would be willing to finish and then wait for her staff to advise her as to whatever the answer is.

I simply ask the minister if she would be willing to make a commitment that the previous government was not willing to make. In fact, it used the tire tax as just another way of taxing the public and raising money for the general coffers, which in fact is a betrayal of the people of this province who think they are paying a tire tax to develop environmentally safe disposal programs for used tires.

Hon Ms Wark-Martyn: I will take the member's concerns, which not only she has but other people have also spoken to me about, and will be giving them to the Treasurer so that he can look at them as he decides the fiscal policy for the province, and go from there with it.

Mr Elston: With respect to the collection of retail sales tax and the records to be kept, are the reports to be made and the records to be kept by the retailers to include the amount of GST remitted as well?

Hon Ms Wark-Martyn: We do not need to have access to the amounts remitted through GST. We just need the RST records. They will probably keep the GST, though, because they have to under the federal law.

Mr Elston: Can the minister tell us, if the GST happens to be included in the price on the counter, how she will keep records of exactly how much money is to be remitted for retail sales tax purposes and then ignore the amount that is collected for the GST?

Hon Ms Wark-Martyn: The RST will be included in the price of the product only, not with the GST.

Mr Elston: I am just asking about the records, though. If the GST is included in the retail price, let's say a \$2 item including GST, how are the records that are submitted for analysis to the retail sales tax branch of the Ministry of Revenue to read? Are they to talk about the price being \$2 or are they to talk about the price being \$2 minus GST?

Hon Ms Wark-Martyn: The vendor will have to keep that record. He is only to calculate the retail sales tax on top of the price of the product. He will have to divide those two.

Mr Elston: It is the minister's position that the retailers of the province are to go through all of the complicated calculations and keep their records absolutely straight as to how much money is owed to the Ministry of Revenue? In fact, is she giving them any assistance at all in trying to help them to decipher the complexities caused by the GST?

Hon Ms Wark-Martyn: They have to keep those records anyhow. It is not our fault that they have to keep GST records. We want only RST records and all we want back from them is our retail sales tax. We do not care if anybody gets the GST. We just want the retail sales tax and those are all the records that we are interested that they keep.

Mr Elston: It is an interesting proposition put to us by the minister that she does not care. That is as good a shrug

of any shoulders that I have seen in the political forum in my life. Can the minister confirm that she is still expecting to save the people in the province \$500 million with respect to these sets of amendments?

Hon Ms Wark-Martyn: Yes, we still assume that we will be saving the consumers of the province \$500 million.

Mr Elston: Could the minister tell us when that estimate was made?

Hon Ms Wark-Martyn: The Treasurer made it and sent it to me in October.

Mr Elston: Since we were not sitting in October and since things have gone particularly worse economically these last two months since then, can the minister tell us whether or not she believes the \$500 million is still current?

Hon Ms Wark-Martyn: I do not have any idea whether or not that is still current.

Mr Elston: Do you care?

Hon Ms Wark-Martyn: I sure do care. After one year of time, I will be able to tell the member how much the savings were.

Mr Elston: Bearing in mind that the economy is going down and that purchases as well have gone down—I can see the deputy minister lurking in the background and I know he has a handle on the pulse of his revenue vacuum—can the minister tell us whether or not since October her ministry has made any new calculations of the collection of retail sales tax?

Hon Ms Wark-Martyn: That comes through the Treasurer and he will be glad to tell members of any new calculations that are made.

1610

Mr Elston: I am sorry, but this person is the minister in charge of collecting revenue in this province. Has she received any new up-to-date calculations on the collection of retail sales tax in this province? She makes the report, or her officials do, to the ministry that is in charge of producing the Treasury documents. Has she or has she not got new information?

Hon Ms Wark-Martyn: I have it. I do not have it here. I could get it for the member and send it to him, but I do not have it right here.

Mr Elston: I am glad the minister has changed her tune. Now she is becoming a little more upfront with us. If she has made new calculations on the amount of retail sales tax to be collected, is it in her view—I am not asking for the precise numbers—to the best of her recollection, an indication of a decrease in the collection of retail sales tax in the province?

Hon Ms Wark-Martyn: Yes, retail sales tax collection probably will be decreased because of the recession that we are now in.

Mr Elston: Having made that admission, will the minister now indicate, since they have made a new calculation on the amount of retail sales tax to be collected that is a diminishing number, that the amendments here put

forward are also diminishing the original \$500-million estimate of savings to the province?

Hon Ms Wark-Martyn: No, I have just got word here that the Treasury has not changed the estimate of a few weeks ago of \$500 million and I shall inform the Legislature if it does.

Mr Elston: If the minister has indicated that the ministry has indeed felt there will be a decrease in the retail sales tax collected, then it seems to me that the earlier estimates by the Treasury and other places of \$500 million also must be adjusted downward, if in fact those two are parallel. I guess they should be identical amounts. I do not understand how one can stay the same and the other one is being estimated to decrease. Can she explain that to me?

Hon Ms Wark-Martyn: The estimates will change over time. Anybody can say that revenue is probably going to go down because of the recession. The Treasurer has not done any calculations yet to say that it has gone down. When he does, I will inform the Legislature if it does go down.

Mr Elston: I think that revenue has been indicated to be going down by the Treasurer, and I thank the minister for confirming that here. That being the case, can she also confirm that it is highly unlikely that the full \$500 million in estimated savings which she has been sending around the province will also be realized as a result of paralleling as opposed to charging tax on tax?

Hon Ms Wark-Martyn: Today I am going to say that the \$500-million savings will be there, and if the Treasury notifies me and tells me that it is not going to be there, then I will let the member know.

Mr Elston: Can the minister tell me if her own retail sales tax amounts are decreasing? Her ministry has indicated that she has decreased retail sales tax. How is it that the Treasury's estimate of \$500 million of savings, with respect to not charging on top of the GST, is going to continue in terms of the amount of money to be saved by the people of the province? It seems to me there is something not quite right here. If people are buying less, and therefore remitting fewer retail sales tax dollars, we also must not have the same amount of savings included in the original estimate on paralleling as opposed to charging tax on tax. Can the minister help me and be a little more precise about what it is that is going to keep the estimated savings high and her revenue decreasing?

Hon Ms Wark-Martyn: I have not said the number is going to stay at \$500 million. I said that the Treasurer has given me those statistics of \$500 million. He has not changed that as of a few weeks ago. When it changes, he will let me know and I will inform the Legislature. We do not have the number of savings right now, how revenue is doing, if revenue is going down. I do not have those right now. I could get those for the member and then have him look at them.

Mr Elston: Allow me just for another moment to continue with my line of questions, Mr Chairman. This is the central piece in the minister's tax revolt on the goods and services tax. We have just discovered that if we use a little

bit of logic—maybe that is an impossibility here—if our own retail sales tax is decreasing, it would seem likely that the savings projected by the Treasury, and probably the people in her own ministry who were asked to comment on the effect of this particular series of amendments, probably the \$500 million will also decrease, in particular when we find that the recession has hit as hard as it has.

Again, I said the other day in response to a statement by the Treasurer about the layoffs that are occurring in what used to be my home town—I guess it still is my home town but I no longer live there. I know that the member for Perth has just heard over the past weekend about new layoffs in her own community, people who are losing their jobs not just temporarily, but in fact the plants are closing and moving away.

Reports in the newspapers are indicating that the shoppers who are out for the season's shopping are out looking for bargains or they are out merely looking and are not purchasing. That in itself is a very big indication that there will be huge, very severe revenue dropoffs for the Ministry of Revenue.

That being the case, is the minister prepared to tell us that as to her \$500-million saving, which the Treasurer has given her and which her ministry staff would have been asked to provide estimates to the Treasurer about, as the problems of the recession increase, as people suffer from loss of jobs, as people suffer from the foreclosure of homes, as farmers find that they will no longer be able to keep themselves on the land, that they will no longer be able to buy the things they would like for their families, would she be willing to tell us, even just hint, perhaps would be willing to admit, that there will be a small, even a very small decrease in the savings that she has projected?

I do not think she can possibly tell the people of Ontario that they can expect to save \$500 million when the whole world that some families have known up to this point evaporated when the announcements were made about the closure of their plants and the layoffs. Can she tell us that she will still stay tightly firm and convinced on the \$500-million saving?

Hon Ms Wark-Martyn: The \$500-million saving was based on revenues a few weeks ago. As that changes, as it surely will because we are in a recession, it will go down. When we get into a boom again it will go up. What we are interested in is keeping the money in the consumers' pockets.

Mr Elston: That being the case, can she tell us then why she is going to be exchanging information with the federal authorities and allowing the federal authorities to feed her information about the tax position of the retailers. Is she not going to be taking the money more cleverly and more quickly from the pockets of the retail sales remittance service, if I can call it that, of the province of Ontario under these arrangements here outlined?

Hon Ms Wark-Martyn: We will only be collecting a retail sales tax as we normally do and what we want to do is be able to continue to collect a retail sales tax.

Mr Elston: Let us just take a look at that. Can I ask the minister how much better her revenue officials feel

they will be able to perform their duties by having the amount of time that records are kept increased. Will she tell us what the estimate is with respect to new amounts to be collected under these new arrangements?

Hon Ms Wark-Martyn: I am unable to give an estimate of that at this time.

Mr Elston: This is impossible. Any time the Ministry of Revenue has ever come forward with proposed changes to allow it to better harvest the revenue of this province, there is an estimate someplace in that ministry about what it means to the efficiency of its collection system. It is impossible that they would bring forward amendments to the Retail Sales Tax Act about which they know nothing of the positive consequences for the revenue. They know how much they are going to collect under these new changes. The deputy minister will know.

Those people perhaps do not have the numbers in front of them. They are expecting to collect more tax revenue. They are expecting to have a better shot at those retailers because the records are being kept longer and they will go back and do more audits. Can the minister tell us how much more money she is going to get from these changes?

Hon Ms Wark-Martyn: I am unable to give exact numbers at this time. I am sure they are here somewhere or we could get them for him. What we are interested in is to keep getting our retail sales tax from the vendors.

Mr Elston: That seems reasonable. She is acting the way a Revenue minister should. She is going to get more money from the pockets of the retailers and the consumers of the province. That is what she is there to do. She should not try to describe herself as trying to save these people money.

I want to just pursue this for a moment. Has the minister got an estimate that indicates there will be a positive result to the Treasury from these amendments?

1620

Hon Ms Wark-Martyn: Yes, I think the basic knowledge is that we are going to be able—what we want to do is to keep getting our retail sales tax. If the vendors of this province get hung up and have high penalties for not giving their GST, they will pay their GST and the province will have no money. Our systems therefore will get no money and our programs will have no money. We want to protect our provincial sales tax. That is what we are doing.

Mr Elston: I am sorry to be taking so much time, but this is an extremely interesting line of questioning, because it really tells us—this is the first time the minister has admitted that the amendments, once we get by the GST-related stuff, are going to be a positive influence on the amount of revenue that she collects, that this will allow her to enhance her tax vacuum cleaner, if I can describe it as that.

Can the minister undertake to tell the Legislative Assembly how many more dollars of tax these amendments will allow her to collect, and having said she will be able to collect more retail sales tax because of these amendments, under this so-called tax revolt that we have seen her taking the lead on, will she then tell us by how much the

savings of the consumers will be diminished as a result of the enhancement of the provincial Treasury?

Hon Ms Wark-Martyn: What we are trying to do is to keep our revenue coming in from the vendors. We are trying to keep a balance. We are not trying to increase it and in the same light we are not trying to decrease it also.

Mr Elston: This sounds familiar. I think I heard Brian Mulroney and Michael Wilson trying to tell the people of Ontario and Canada that the GST would be revenue-neutral. Is the minister telling us that these paralleling provisions and these enhancements of recordkeeping and all of these deals she has made with sharing information with the federal authorities are going to be revenue-neutral for the province of Ontario?

Hon Ms Wark-Martyn: As I said before, we are trying to protect our revenue. That is what we are trying to do with it. We are not trying to make people give money to the GST. We want to keep our revenue coming in to the province. We do not want to see a decrease in revenue.

Mr Elston: That was not my question. It was very precise. Before, the minister admitted that her revenue estimates, in terms of retail sales tax, showed a decrease into the future and she has said that her retail sales tax remittances are going to go down. She said just a while ago that it is quite probable, although she did not go all the way to admitting it, that the \$500-million saving that she is saying this bill promotes will go down. I do not want to put words in her mouth, but she was getting very close to saying that. Probably when the Treasurer tells her that the economy is just a little bit worse, she will come in here and say, "Son of a gun, I have to tell the people they are not going to save as much by these."

She said before that there were going to be some positive effects as a result of the amendments to the Retail Sales Tax Act in her ability to collect revenue for the Treasury of the province. Can the minister, when she is telling us how much of a positive effect that will be, tell us from where the estimates of the effect of these amendments were derived, when those estimates were made, and in fact by whom those estimates were made, so that we can understand who it was who told the Treasurer exactly what the savings could be estimated at for the retail sales tax not being charged on top of the GST.

Hon Ms Wark-Martyn: These administrative changes that were made were made to protect the province's provincial sales tax. That is why they were made. Common sense tells you that you have to be competitive. If someone is coming into our tax jurisdiction, which the federal government is doing—it is coming into our jurisdiction of tax collection—we want to make sure as a province that we continue to get our tax dollars so that we can continue to run as a province.

Mr Elston: Can the minister tell us if the retail sales tax charged on the products of the province are a first charge against the retail sellers of this province as opposed to the GST. Do you have to pay GST or retail sales tax first?

Hon Ms Wark-Martyn: You have to pay both of them.

Mr Elston: At the same time?

Hon Ms Wark-Martyn: At the vendor?

Mr Elston: Yes.

Hon Ms Wark-Martyn: Sure.

Mr Elston: Then what is she protecting?

Hon Ms Wark-Martyn: We are protecting the provincial sales tax revenue. That is what we want to collect. If we say, "We do not care. We do not need a provincial sales tax. Pay your GST and pay us later," many people are not going to have the money to pay us later and we will not get our provincial sales tax. That is what we are trying to protect.

Mr Elston: Can the minister tell us how many people will be added to the staff of the Ministry of Revenue to invoke the administrative changes required under this legislation.

Hon Ms Wark-Martyn: There will be no staff added.

Mr Elston: Can the minister tell us then that the same number of staff are going to be going over four years of collected records as of right at this current time and that nobody will be added to do the audits that are required by longer records being kept?

Hon Ms Wark-Martyn: That is correct. There will be no staff added to do the audits.

Mr Elston: Is there a liaison between the Ministry of Revenue and the federal Department of National Revenue with respect to having parallel provisions with GST and RST?

Hon Ms Wark-Martyn: Yes, there is.

Mr Elston: Can the minister tell us, since she has added this liaison person or people or department, what the name of this person is, the number of times they have met and the types of arrangements that have been arrived at between the two departments to arrive at these amendments?

Hon Ms Wark-Martyn: There has been a person assigned to deal with the GST. As the member knows, the taxpayers, the vendors and consumers of the province, have many questions and confusions regarding the GST and they will phone either ministry to ask questions. We have to have someone there to give them some kind of advice and some kind of direction.

Mr Elston: Can the minister tell us that this person, then, is only a consumer-information liaison and is not having actual technical discussions with the federal department?

Hon Ms Wark-Martyn: It is routine. Somebody phones up, asks the questions and they will answer the questions. They are not having any formal discussions with the federal government regarding this, only information finding and seeking.

Mr Elston: This is, though, for the purposes of the Ministry of Revenue, is it not, as much as it is for consumer information? This is a liaison between two departments of revenue collectors. Is this person not also providing advice back to the minister's bureaucracy, and in fact to the minister, making sure that both the Department

of National Revenue and the Ministry of Revenue in Ontario are effectively vacuuming the money off the Ontario landscape?

Hon Ms Wark-Martyn: No. We are making sure that the consumer or the vendor who phones in and asks the question understands what his legal right is and how he has to remit taxes.

Mr Elston: The minister can say here, then, that there are no technical discussions going on between the Ministry of Revenue and the federal department of revenue.

Hon Ms Wark-Martyn: No, there are not.

Mr Elston: If that is the case, how is it then that we know that these amendments the minister has put forward parallel the GST?

Hon Ms Wark-Martyn: Because we know what the GST says. We have had to look at the GST and what it is going to do to our tax jurisdiction. By doing that, we were able to see that these are the changes that are going to come in. We had to ask, "Now, how is this going to affect our tax collection in the province?"

Mr Elston: Having now admitted that she is complicit in making sure the GST goes forward, can the minister tell us when she made the decision to give up the battle against the GST. Can she tell us when it was that the government of Ontario gave up its fight against the GST and decided to be complicit in implementing the changes that would allow them to effectively vacuum the money from the landscape of Ontario.

Mr Perruzza: On a point of order: Mr Chairman, you have allowed the discussion to sway to the tire tax. We have talked about the tire tax. We are talking about Bill 1. We have engaged in discussions on the nuts and bolts. We appreciate the member's experience and intricate knowledge of the Ministry of Revenue, but if the member has some information here which he would like to share with the House, he should come forward and share it with the House and share it with the minister and share it with the rest of us.

It seems to me he is pursuing a line of questioning without making any substantive points. I have been sitting here for over 45 minutes listening to him and I fail to see the point he is trying to make. He should get to the point.

1630

The Chair: The member for Bruce.

Mr Elston: Thank you, Mr Chair—

Hon Ms Wark-Martyn: As everybody in this province knows, we are against the GST. We are doing whatever we can to fight the GST. What we have done with this bill is we have left the federal government on its own to collect the GST. If it falls through, it is their fault and not ours.

Mr Elston: Let me tell the folks here why the line of questioning. The line of questioning is such because the minister herself, in introducing the bill and in introducing it for second reading, and the Premier and all these people, talked about the tax revolt and they have been talking about leading the charge to save the consumers. But what they forgot to tell, and what the member for Ottawa-

Rideau had said in her remarks on second reading, and what I had added some remarks about, is the fact that this is a tax collection statute. This is an amendment that allows all of the people over there to hit up their retailers, all the vendors in their ridings. I am talking now for the benefit of the people out in TV land, so to speak, about the NDP caucus. This will mean a more effective and efficient collection of retail sales tax, as the minister herself has acknowledged here in the House.

At this point, she does not know how much more effective in terms of dollars and cents, but there will be an increase in the efficiency and effectiveness just by the very fact that this ministry now will have four years of records, as opposed to three years of records, to deal with.

When the minister is telling us how much more money the Ministry of Revenue is going to collect, can she tell us whether or not there are any other arrangements being made, deals or discussions being held between her ministry and federal authorities about making it even more efficient and effective for the two departments to collect tax revenue in their jurisdictions, virtually in Ontario in this case?

Hon Ms Wark-Martyn: No, there are no discussions to make the tax easier to be collected, as far as the GST is concerned. We are interested in the retail sales tax in the province. We did not want to see the GST go through. We have fought that through the campaign. We have said we will not stack the GST on to the retail sales tax, which is something the member's government was not prepared to do. The voters voted for what we were going to do. Now we are going to do what we said we were going to do.

Mr Elston: Having said that they would lead a tax revolt, we now find out they are complicit in making sure that the tax collection systems of both the federal government and the Ontario government are made much more efficient and effective by information sharing, helping each other out in investigations and ensuring that in fact there will be more money coming into the provincial coffers.

We have also heard that the retail sales tax estimates of income are going down and that also the \$500 million, about which that government party seems to crow so much, is probably going to be diminishing over time. Certainly, the people in the province will be lucky to save anything.

Can the minister tell us what the estimate is with respect to the cost for an individual retailer for increasing his recordkeeping by an extra year?

Hon Ms Wark-Martyn: There will be no cost imposed by our government to increase the recordkeeping. As the member is aware, the GST requires them to keep their records for that length of time. We are also allowing them to keep their records for that time so that they are not doing audits this year and then again next year.

Mr Elston: It seems rational that the ministry parallel it. I have no problems with that. Since the records are available, her ministry is going to have access to those increased recordkeeping times. That will allow her to collect more money. The minister can tell us perhaps how

much more money that will allow her to collect, if she would.

Hon Ms Wark-Martyn: I do not have that figure right now, but I will get it for the member.

Mr Elston: Can the minister tell us when that information will be forthcoming?

Hon Ms Wark-Martyn: As soon as my ministry has it for the member.

Mr Elston: That will be interesting.

Mrs Y. O'Neill: I have a couple of questions along that same line. I really do feel it is almost impossible to believe that there has been no estimate of delivery costs of this bill, a bill that is supposed to be designed to help people. We have absolutely nothing to go on to prove that there is help. We have this \$500,000 figure, which we are certainly not sure of after today's discussion.

I wonder if the minister has taken a survey or done any questioning at all on the different ways in which pricing will be administered. The policies of both the larger and smaller retailers in this province are going to be tackling this whole new endeavour. Has there been any examination of the pricing policies or any surveys taken? As my colleague has mentioned, some businesses do seem to be talking about putting the GST immediately into their prices.

Hon Ms Wark-Martyn: It is the federal government that is introducing this tax change on to the province. It will be responsible for knowing how this tax is going to be collected. The retail sales tax and the collection of the retail sales tax will remain the same, and that is what we are telling our vendors. Other than for some administrative changes, we still expect to have the money, the same way as we did before.

Mrs Y. O'Neill: In fact, I do not think the minister even attempted to answer my questions about whether she has examined the pricing policies or asked the retailers in this province if they have come to some conclusion about how they are going to administer this tax. Are there 20% of them who are going to include the GST in the prices they have on their labels in the store or are they all going to do it in the way the minister would like to see it done—in two clean operations?

Hon Ms Wark-Martyn: There will be very few who will be including the GST in the price of an article. That is a minor situation right now, because there are very few who have come forward and said that they will do that. Basically what the vendors are interested in is the GST and what they are going to do about it. What we are saying is, we will keep the RST the same and not change it, and that is what they are interested in.

Mrs Y. O'Neill: I am being told there is very, very little data. I gather there has been little attempt at collecting data and I feel that is certainly a disservice to the consumers, who will walk into those stores on 1 January.

I want to ask a question. We are talking and have talked this afternoon and seem to be certainly pointing in the direction that there will be some reduction in this \$500,000—or \$500,000 million—that we have talking

about. It may turn out to be \$500,000. We are talking about a complex implementation plan that has a variety of goods and maybe even a variety of pricing policies, and I want to ask the minister if she considers these things, which in our humble opinion and certainly in mine has very little in the way of data presented to it, as did her first press release, which talked only about section 1, real tax reform. I would like to know if she thinks this is real tax reform.

Hon Ms Wark-Martyn: I would like to inform the member that I think this is a start to tax reform. As she probably well knows, our tax system is very unfair and we are going to make it fair as a government of Ontario and through our Fair Tax Commission. This is something we said we would do during the campaign, the no stacking. It is something that we are going through as a campaign and election promise, and as the years unfold we will go on with more tax reform.

Mrs Y. O'Neill: If I may comment, that is a lot of rhetoric. Can the minister tell me how this bill is fairer tax reform or a tax revolt? It is harmonized totally and, as I think has been indicated here this afternoon, there is a paralleling with what the minister has said over and over again is an unfair tax—wrong people, wrong time, all those words. I would like the minister to point out to me at least one section of this act, and not section 1 but a section of this act that indicates this is an improvement in tax policy or an improvement in tax collection in this province.

Hon Ms Wark-Martyn: I think the main purpose for our government doing Bill 1 was to make it easier for the vendors, which it will, the implementation of Bill 1. I have talked to vendors. They have said it will be easier for them to understand because some of the rules are the same. They will not be doing audits this year and then again next year and having costs to do audits two years in a row. I also think the first section of the bill is a very significant section to vendors and consumers of the province.

Mrs Y. O'Neill: I am glad that some people in this province think that this is easier and simpler, because that is not the message I am getting. I certainly am happy that there are some people who think that, but I really do feel that this is a very complex bill. The minister herself said that, and I hope that people will understand it better after our exchange this afternoon.

1640

Section 1 agreed to.

Sections 2 to 14, inclusive, agreed to.

Section 15:

The Chair: Mr Stockwell moves that subsection 15(1) of the bill amending subsection 45(2) of the act, as amended by the Statutes of Ontario, 1981, chapter 38, section 4, 1983, chapter 27, section 16 and 1986, chapter 1, section 13, be amended by adding the following clause:

“(m) prescribing the method of collection and remittance of the goods and services tax (Canada) on those transactions subject to both the goods and services tax (Canada) and the Ontario retail sales tax and any condition or requirement affecting such collection or remittance.”

Mr Stockwell: If I may make a comment, briefly, I think the arguments have been stated very clearly with respect to the revolt. The tax revolt, I guess, on that side of the House is truly a tax revolt. On this side of the House it is considered to be a bit of a whitewash. There is really no tax revolt. I think when we come right down to it, if this is the best revolt they have, it is certainly the first coup that had little or no blood-letting take place.

Interjections.

Mr Stockwell: I am being heckled here about agreeing, etc. I agree with the government's theories. Certainly I did not suggest during the election that we would in fact lead a revolt, and I think the difficulty I am faced with here is that the members opposite did. I told the members they were blowing smoke. There is no revolt. If this is the best the government can do, it is certainly a bloodless coup at the least.

The motion that we moved here, that our caucus in fact has agreed to, is kind of cutting through the fat of the debate and getting right down to the bottom line. If this is the best the government can do for a revolt, it just is not worth it. It is not worth the aggravation. It is not worth the difficulty when it comes to separate collections.

I agree with “Don't tax on tax,” and I think that is an acceptable procedure that we agree with and adopt, but it simply is not worth it not to continue in the past processes with the federal government when it comes to working in co-operation, because all this is going to do is in fact cost the taxpayers more money, a tremendous amount of money, in duplication of services.

The linchpin of the government's argument was that this is in fact a revolt and this is its method of showing it. It is going to cost the taxpayers tons of money. It is just not worth it. Why not just go ahead and adopt the amendment our caucus has put forward, thereby allowing the government and the cabinet to harmonize the approach with respect to collections?

Quebec in fact has adopted that approach. It will save the taxpayers money and, as I said before, the members opposite cannot really consider this a revolt. Nobody knows they are doing it in the first place and nobody understands this particular piece of legislation. I go around. I know. I speak to them on a daily basis. They do not really comprehend the government's whole point to this process besides the tax on tax. I applaud the government for that and we applaud it for that.

Beyond that, it is window dressing and the window dressing is going to cost the taxpayers millions and millions of dollars in duplicated service. I consider it somewhat petulant, and really, because they are petulant and because they do not want this thing to go through and because they blew smoke in the election claiming they were going to have a revolt and this is the best they can do, it is going to cost everybody millions and millions of dollars, and it just is not worth the expense for them to pretend that in fact this is some kind of revolt.

They can go back out into the public—they do not have to take my word for it; they can go out there and ask them, “The fact is that we are going to work with the

government to collect the tax to keep it as inexpensive as possible." They should go ask the people what they suggest the government do. They are going to suggest, "Don't tax on tax, and keep the collection process as inexpensive as possible." That is what they are going to say. "Keep the process as inexpensive as possible and don't tax on tax."

Now, the government has made the first step. It has tried not to tax on tax, but it did not take the second step. In their backroom dealings, in their rice-pudding-filled rooms, they did not take that final step. The final step is, accept the fact it is going to happen, accept the fact there is nothing the government can do about it, accept the fact that there is going to be no revolt and accept the fact that there is a more senior level of government and it has control of this stuff.

As I have said before, when you sit on municipal governments, you learn that they were elected just like you were. I do not agree with it. The government should not tax on tax. It should adopt the amendment. By adopting this it will save the taxpayers of this province and it will save the taxpayers of this country millions and millions of dollars. I think that is a really good thing to do. That is the way our amendment would read.

I think it would make immense sense for this government that is supposed to be working for the people and small businesses that are declaring bankruptcy daily. There are many more this year than last year declaring bankruptcy daily and all the government does is send them a nice Christmas present. One, the government would make it simpler to comprehend and, two, it would make it easier for them to remit. How can the government suggest that is not a better process to use? Easier to understand and simpler to remit. All the minister is suggesting here is, "Let's make it more complicated." They have to hire a whole bunch of accountants to do it, and the government in fact is not going to adopt it.

The Chair: Order. Order.

Mr Stockwell: I guess I may have strayed, but that is life.

Mr Perruzza: So what you're saying is, let the consumers forgo the savings. Say it.

The Chair: Order. Would the member for Downsview take his seat, please. You cannot heckle from his seat. You have to heckle from your seat.

Mr Stockwell: In the end I think what we are suggesting is a very commonsense, understandable approach to tax, the most commonsense approach we can use. All businesses are saying today is: "We understand the GST is going to happen. We don't like it." They are asking the government two things: One, do not tax on tax and, two, make it as uncomplicated as it can be. The government carried forward on the first one. It is the second one it has trouble with.

It is going to be complicated and they are going to have to have accountants separate remittances and go through the books separately with respect to GST and the federal sales tax, etc, not one person collecting it—it is going to be far more complicated. The federal government has to hire

a whole bunch of new bureaucrats, in fact, to go out and recollect. Come on, that just does not make sense.

The Chair: I would just like to remind the members that whenever a member moves a motion, before debate begins on the motion, the Chair must put the question to the committee by reading it. After the question has been put to the committee, debate may proceed on the motion. I will now put the question to the committee.

Is it the pleasure of the committee that Mr Stockwell's motion carry?

All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion the nays have it.

Motion negatived.

Section 15 agreed to.

Sections 16 and 17 agreed to.

Bill ordered to be reported.

Mr Cousens: On the bill as a whole, and I apologize for not bringing this up earlier, has the minister had a chance to respond to the whole question of whether or not she will be working with the federal government in the collection? I am sorry, has that been commented on? I can find it in Hansard. She has a detailed answer that will not change if she repeats it again. I just want to hear it. If I missed it, I apologize.

The Chair: You realize, member for Markham, that the bill has been carried. I leave it to the minister if she wishes to answer your question.

Hon Ms Wark-Martyn: It is in Hansard, but I will repeat it for the member: We are not negotiating with the feds. We are letting the feds do their own thing and let the GST fall within their control.

1650

EMPLOYMENT STANDARDS AMENDMENT ACT (PREGNANCY AND PARENTAL LEAVE), 1990

Consideration of Bill 14, An Act to amend the Employment Standards Act with respect to Pregnancy and Parental Leave.

Section 1 agreed to.

Section 2:

Mr Cousens: On section 2, on the definition of "parent," does that include homosexual parents?

Hon Mr Mackenzie: This definition is intended to cover same-sex parents. For example, if one member of a same-sex couple gives birth to a child, her partner should be able to take parental leave if the qualification period was met and if the partner intended to treat the child as their own.

Mr Cousens: Could the minister elaborate on what that means and give me some examples where that could be the case?

Hon Mr Mackenzie: The definition is also intended to cover the person who has assumed the role of a parent but who is not a natural parent of a child. For example, an employee who is a natural mother gives birth to a child; she lives with her sister; the two of them intend to raise the child together. The sister of the natural mother is eligible to

take parental leave, for example. If she has worked for 13 weeks for her employer and she is intending to treat the child as her own, she may take parental leave.

Mr Cousens: For clarification's sake only, that would mean that if we had two people, two males or two females, living together who wanted to adopt a child they could qualify under this bill for leave.

Hon Mr Mackenzie: Correct. The definition is intended to recognize the variety of family relationships which exist in Ontario today.

Mr Cousens: Could the minister comment on the one that I have just described?

Hon Mr Mackenzie: No more than I already have.

Mr Cousens: I do not think the minister has. I think he is trying to sidestep the issue. If that is the case, I want to have it here in the House. This is the place to talk about it, not outside afterwards.

Is the minister saying that two people who are either male or female who might be declared gay can adopt and receive these benefits?

Hon Mr Mackenzie: As I have already said to the honourable member, this definition is intended to cover same-sex parents. For example, if one member of a same-sex couple gives birth to a child, her partner would be able to take parental leave if the qualification period was met and if the partner intended to treat the child as her own. I do not know how I can be any more clear than that.

Mr Cousens: This would be an adopting situation, because would not people who are adopting also qualify under this bill? I just want to get clarification. Maybe the minister wants to sidestep the sticky issues here in the Legislature. I do not think he should. I think it is just a matter of indicating what will happen with adoptive parents.

If two males adopt a child, which could happen under the Human Rights Code, are we in a position to say that one of the two will qualify for the benefits described under this bill?

Hon Mr Mackenzie: If two persons of the same sex adopt a child and both intend to raise the child as their own, if they meet the eligibility period, they are entitled.

Mr Cousens: So the minister has expanded the definition at this point. Is that not correct?

Hon Mr Mackenzie: That is correct.

Mr Cousens: Is this a new definition that he has now given?

Hon Mr Mackenzie: No. It is the definition that is in the bill.

Mr Cousens: Where is that definition also found in Ontario law?

Hon Mr Mackenzie: The general meaning of "parent," as we said in the bill, is intended to be a broad definition which includes a natural parent, an adoptive parent and a person in a relationship of some permanence with the parent of the child if the person intends to treat the child as his or her own. That is the definition in the act and

it is an expanded definition over what we have used previously. It is a broad definition.

Mr Cousens: Is this definition one that applies to other bills and other statutes in the province of Ontario?

Hon Mr Mackenzie: As far as I know, at this point in time it does not.

Mr Cousens: I suppose he does not get involved as Minister of Labour in the kind of labour that is involved in childbirth, that leads to adoption and to these other things, but his definitions really reflect an understanding of what the parent is all about. Does the minister think it would not be wise to include in this definition more the kind of statement that he is now elaborating upon, which would then include a clear statement as to this involvement of two people of the same sex who might then become adoptive parents of a child?

Hon Mr Mackenzie: I want to say two things. First, it meets the Human Rights Code requirements; and second, no Canadian jurisdiction defines "parent" as broadly as Ontario will.

Mr Callahan: If I understand my colleague to the right here, although he is to the left, in his question to the minister he said this meets the standards of the Human Rights Code. It does not. The Human Rights Code was amended substantially, and I think fairly, to cover common-law relationships. It never went far enough to cover two people of the same sex with a child. I think the minister should check that out.

The minister's answer to that question is obviously wrong and I think my friend's comment in that regard in terms of the definition is quite perceptive, to say the least. I would like the minister to check with his ministry officials. I see he is being handed an answer now. We now have the envelope.

1700

Hon Mr Mackenzie: It is not in contradiction to the Human Rights Code.

Mr Callahan: I was around when the Human Rights Code amendments were being made, and they certainly did not cover that particular situation. That was advanced as a statement by his party, that it would in fact enlarge the rights to people of the same sex. It was never dealt with in the legislation that I am aware of, and I would like to see that piece of legislation, because I do not accept that, with the greatest of respect. It was not meant to cover people of the same sex, two males or two females, adopting a child.

Hon Mr Mackenzie: The Human Rights Code prohibits discrimination on the basis of sexual orientation, as I understand it, and I think I remember that debate in this House as well.

Mr Callahan: I would like to see a copy of it. Maybe his staff could send a copy over to me. I would like to see it.

Mrs Witmer: I would like to move an amendment.

The First Deputy Chair: Mrs Witmer moves that subsection 36(1) of the act, as set out in section 2 of the bill, be struck out and the following substituted therefor:

"36(1) A pregnant employee who started employment with her employer at least 26 weeks before the expected birth date is entitled to a leave of absence without pay."

Mrs Witmer: The reason for the amendment is as follows. In speaking to many people throughout this province, especially those who are involved in small business—and I would like to mention again that three quarters of the businesses in this province employ fewer than five employees—these people will have considerable difficulty in accommodating what is being requested here: a qualification period of three months. They have indicated that in many of the jobs it takes much longer than three months to train people to do the job. We also have to remember that in small companies of less than five employees, often they are family run businesses and the hiring and training of employees is handled by the owner of the small business. Obviously, there are going to be additional costs incurred for that very small business person who is already suffering from the recession. So I would like to make this change from three months to six months.

Hon Mr Mackenzie: There are reasons in support of a 13-week qualification period. Thirteen weeks is basically equal to three months, which is the most common period of probation for employment in Ontario. Thirteen weeks is a fair balance of interest between employers and employees. There has been some discussion on this. It is understood that employers, particularly smaller employers, are reluctant to grant potentially lengthy leaves of absence to employees without long service. It is also understood that employers may not be comfortable with the idea of holding a natural mother's job open for up to nearly six months if she has worked only 13 weeks prior to the birth of her child.

However, Ontario currently has the most restrictive qualification period for pregnancy leave in all of Canada. Employees should not be penalized unduly for becoming parents. It is one of the many arguments we have made. The qualification period of 13 weeks will enable many more employees, especially women, to take time off to care for their newborn or newly adopted children.

Other Canadian jurisdictions have a 12-month qualification period. However, British Columbia and New Brunswick have never had a qualification period for pregnancy leave, and they have indicated in our calls to them that they have had no problems with this. Quebec, which currently has a 20-week period, is moving to a zero qualification period as well. I think there is no reason why we should discriminate against a large number, which is exactly what would happen if this qualification period were increased to six months.

Mrs Witmer: I thank the minister for his response. However, I would like to bring to his attention the fact that the reason Quebec has absolutely no qualification period is because it is trying to encourage births and an increase in numbers in that province. I would also like to bring to his attention the fact that in the previous discussion paper that the Liberal government had sent out, the basis for the qualification period was six months, and this was the dis-

cussion that was carried on with small businesses. He has indicated that he has also been in discussion, and I would like to know with whom he has discussed the three-month qualification period. It certainly was not the small business people in this province.

Hon Mr Mackenzie: I can tell the member that most of the women's groups we consulted with indicated very clearly that they would much prefer a zero qualification period, and certainly there is argument that could be made on that score as well. Certainly there was no major objection. That is one of the reasons why we contacted the two provinces that have zero qualification periods and found that they had no trouble in those provinces with the zero qualification period.

Mrs Witmer: I have heard the minister say that he has contacted the women's groups and I very much appreciate that this legislation does obviously give women more equality in this province. However, his party has been committed throughout the last few years, and longer than that, to consultation with all of those involved, and he has consulted with only a very small segment of the population. He has not given the small business people, who are men and women, any opportunity for input or any opportunity to voice their concerns or any opportunity to arrive at a compromise. I am extremely disappointed that consultation did not take place with the small business people in this province.

Hon Mr Mackenzie: The Ministry of Labour specifically consulted with interested organizations about the appropriate length of the qualification period. Business and employers' organizations strongly objected to the previously proposed six-month qualification period and it is understood that they would likely oppose anything less than the current 12 months that we have. It was our feeling that this was a decision we had to make and that three months was much more appropriate.

Mr Offer: On this point, when the minister introduced the legislation and then on second reading, I, on behalf of our party, clearly indicated our support for the legislation. I do have a question on this one particular point, the amendment brought forward by the member. Can the minister inform us if there had been any consultation prior to the introduction of this legislation dealing with this so-called threshold with either the Canadian Federation of Independent Business, any small business group, the Canadian Manufacturers' Association, and indeed whether they have carried on any consultation with the myriad of women's groups on this matter?

Hon Mr Mackenzie: Most of the consultation was in the time that the previous government was looking at this bill, but there has been consultation since with the CFIB and it was aware of it.

Mr Offer: As a secondary question, the minister in a previous answer to a question alluded to other provinces that have thresholds of basically zero. My question is whether there is any consultation now taking place which would be directed to lowering this threshold, which now stands at 13 weeks, to zero as in other provinces which the minister has previously alluded to.

Hon Mr Mackenzie: If the member is asking if we are currently engaging in any such consultations, the answer is, other than an expression that has been made fairly strongly to us by some of the women's organizations in the province that it should be zero, no, we have not.

Mr Offer: I am wondering, while we are on that same point, if we could possibly get a commitment from the minister that prior to any further discussion of a reduction, or in fact an increase, in the threshold, if whatever happens the minister would be able to commit that it would be only on the basis of full consultation not only with women's groups but with the many business associations in this province.

1710

Hon Mr Mackenzie: I think the request is a fair one. As to what really happens with the 13-week period, we will just see how it operates. The importance of the bill, as the member undoubtedly knows, is to tie in and give the protection required as a result of the UI legislation passed back on 18 November.

Mr Offer: Just a follow-up question. I understand the answer the minister has given. The reason for the answer was a bit troubling to me because it seems the minister is now indicating that they will be taking a look and evaluating the 13-week threshold period. I would like to get an understanding from the minister as to whether or not there will be a period of evaluation on this 13-week threshold period.

Hon Mr Mackenzie: At the moment we have not discussed any evaluation of the 13 weeks. We are taking a look at some previous suggestions that were made in this House, including the five-day family leave suggestion that was there and those may be in legislation we will look at down the road.

Mr Offer: Others may wish to come in, but on that point, the minister has almost presumed my next question. The minister will be aware that there has also been some representation for a five-day family leave provision; I use that example for example purposes. Is there a commitment made by the minister today that prior to the introduction of any legislation or amendment dealing with the five-day family leave, that it would only be done after thorough consultation with the many business groups and, in fact, women's groups in this province?

Hon Mr Mackenzie: I think I can give the member that assurance. If we brought it in, it would not be simply that item alone; it would be a package of amendments that we might be looking at in terms of the general labour relations field and the general family and support field. It would be in that context and certainly would be subject to consultation.

Mr Offer: I just have one final question. On the basis of the current 13-week threshold period, is the ministry taking a look at reducing that threshold period to a zero period as is followed in other provinces? I ask this question because I recognize that certainly women's groups, as well as many business groups, would want to know what is the future intent of the ministry in a very critical area.

Hon Mr Mackenzie: The 13 weeks, as I tried to indicate before, was arrived at, the rationale being (1) the probationary period and (2) we wanted to respond to some extent to what business wanted, although it was a much longer period that business wanted, which was the 12-month period, or to retain the 12-month period, and at the moment that is not on the agenda.

Mr Tilson: I have a question on the amendment. Specifically, this legislation was designed to assist women and men with respect to pregnancy and parental leave, and obviously there are many women in this province who are either self-employed or the small business people who are small employers. In the minister's consultations that he has been speaking of, was that subject raised?

My immediate reaction is that the legislation does not go far enough; it does not deal with all of the women of this province. Obviously we are talking about employment—I realize that—but we are talking about other areas that could assist the self-employed person, the self-employed woman or the woman who is actually employing people. It does not cover all the women of this province.

In his consultations with various women's groups around the province, did he get into that area as to why he would not cover all the women in the province?

Hon Mr Mackenzie: I am not sure I totally understand the question. It seems to me that we have been about as extensive in coverage—as substantial as it is, it has brought us from one of the worst coverages to the best coverage in terms of the pregnancy and parental leave ability of women in this province.

Mr Tilson: I simply asked, not what he did but whether he consulted, whether this subject was canvassed in his debates as to how he was going to cover this legislation. In other words, why does it not cover all the women of the province? It covers only those who are employed. It does not cover sole proprietors. We are talking about pregnancy leave and parental leave, but that applies to other people, other women.

Hon Mr Mackenzie: If you are self-employed, you do not have an employer from whom to seek leave. The purpose really is to entitle employees to assess leave from their employers and take advantage of the UI legislation that gives them the coverage.

Mr Tilson: That gets to my main question, which has to do with an area that both the minister's party and my party canvassed during the election, and that is the subject of downloading. In other words, the word "downloading" came from a comparison of provincial responsibilities that were passed on to municipalities in a whole slew of areas.

Is the minister's legislation, including the portion dealing with this amendment, dealing with another form of downloading of provincial responsibility on to the small business people, the business people who are required to, whether it be into benefits or whether it be into being obliged to pay benefits during that period of time, or whether it be the hiring of qualified specialized people to replace the people who are going to be on pregnancy leave

or parental leave, or the retraining of those people at the end when they return?

All of those things will take time and money, aside from the bookkeeping that is required. Is that not a form of downloading of provincial responsibility on to the small proprietor, the small businessman, who simply is incapable of handling all those duties?

Hon Mr Mackenzie: I am not sure how you would argue that. I suppose you could, but we are working through the Employment Standards Act in the province of Ontario and we are dealing with employment relationships and not outside the employment relationship. If you are self-employed, obviously there is no need to ask for a leave of absence; you grant that to yourself.

Mr Tilson: I think the minister misunderstands my question. I did ask that leading up to the final question, and that is whether or not what he is doing here, by requiring small business people to assist people who are on parental or pregnancy leave, is in fact asking the small business people to do what perhaps the province should be doing.

Hon Mr Mackenzie: I guess my question to the member, since I am having difficulty understanding, is whether he is suggesting the province ought to pay benefits or run a temporary agency.

Mr Tilson: My question simply is whether the minister is doing the very thing that his party told the previous government not to do to municipalities? Is he doing this "downloading," the word which we all came to know so well during the election? Is he not in fact doing that to the small business person in the passing of his legislation? I am just simply asking, did he go through that thought process when he was preparing for this legislation?

Hon Mr Mackenzie: No, I do not think we are doing that. I think what we are doing is allowing women employees in pregnancy and men, where there is parental leave involved, to be able to take advantage of legislation passed by the current federal government, whether we like all of it or not, and be able to take advantage of the leave that is there for parental or pregnancy leave.

Mr Callahan: I want to get something clear with the minister. First of all, I should say that I think the proper looking-after of children—and this bill will assist in that regard—and the togetherness of family are very important. But I want to look at the amendment, which says "parent includes...." I think the minister will be told by his legal advisers that the word "includes"—

The First Deputy Chair: Excuse me, you are not dealing with the amendment. You are back on section 1 of the bill, and that has already gone through. We are on an amendment now.

Mr Callahan: I am sorry. I just came into the House and was told that was the amendment we were dealing with.

The First Deputy Chair: That is incorrect. We are on section 2. The member for Waterloo North has moved an amendment to section 2, and that is what we were discussing.

Mr Callahan: What is that?

The First Deputy Chair: "I move that subsection 36(1), as set out in section 2 of the bill, be struck out and the following substituted therefor:

"A pregnant employee who started employment with her employer at least 26 weeks before the expected birthdate is entitled to a leave of absence without pay."

Mr Callahan: I reserve my right to speak later on the matter of "parent."

1720

Mr Offer: On a point of order, Madam Chair: We are dealing with the member's amendment at this time, but with the consent of the government it might be in keeping with afterwards reverting back to section 1 so that the honourable member might be able to make some comment on that particular section. I am wondering if there is any objection.

The First Deputy Chair: I will take that into consideration, but I would like to get back to the amendment now. I believe there was someone here who wanted to speak on the amendment. It rotates.

Mr Mahoney: You are accepting mine now?

The First Deputy Chair: Yes.

Mr Mahoney: In relation to the amendment, I wonder if the minister has any concern with the shorter time period of three months as it relates to a pregnant woman applying for a job. Does the minister have any concerns about potential discrimination if you look at it from the point of view of an employer interviewing a woman who is obviously pregnant, six months advanced, and then has three months' working time with the company? Does the minister see any concerns that the employer perhaps would not hire that individual, knowing that three months after she begins work she is going to be off for an extended period of time?

Hon Mr Mackenzie: I would hope that would not be the attitude of an employer, but I think the Human Rights Code should protect us in a situation like that.

Mr Mahoney: I wonder if the minister has addressed that—and he should forgive me if he has; I have not found it specifically in the bill—or if he sees any need to do that, because obviously if the partner of the pregnant woman is applying for a job, there would not be any obvious concerns on behalf of the employer.

Clearly, unless the individual has very extensive skills—and I am particularly concerned in the area of small business—it would seem to me that if there is no specific clause addressing that issue, we could be heading for a problem. It is fine to say the Human Rights Code will protect us there, but the reality is that may not be the reason. You then get into hearings and all kinds of bureaucratic problems, misunderstandings, accusations and counteraccusations when perhaps it should be clarified right at the beginning of the bill, or perhaps this amendment indeed is in order to attempt to alleviate that concern.

Hon Mr Mackenzie: I am not really sure how taking it from three months to six months alleviates that problem, and I still think our protection is in the Human Rights Code.

Mrs Witmer: My concern is similar to the one that has been expressed by the member for Mississauga West. I too am concerned. Small business people have indicated that this is going to cause them some financial hardship if the qualification period is reduced to 13 weeks, and I am proposing 26 weeks. I am afraid that perhaps there will be subtle discrimination and that employers will be taking a look at those people whom they interview.

I would like some assurance from the Minister of Labour that all women in this province will be protected and that indeed they will not be discriminated against. I am wondering what action the minister would be taking in this regard.

Hon Mr Mackenzie: There has to be, I guess, a little bit of faith in legislation like this. We do have a ministry, an employment standards branch and a human rights department, and certainly any new legislation like this will be monitored fairly closely. If we find that people are taking advantage of it, there are avenues there and we certainly will then look at the bill.

Mrs Marland: I just want to ask the minister if he could explain to the House the rationale behind the bill. I understand the bill obviously has to be introduced to implement the federal UI changes. Could the minister explain to the House why his bill goes further than the federal changes in terms of protecting mothers and fathers in the province?

Hon Mr Mackenzie: We have been lagging behind, as I pointed out when we started some of the sections of this bill. I can see nothing wrong with Ontario exceeding the coverage that may be in other jurisdictions. In one or two of them we are still behind when it comes to the qualification period.

I would hope that Ontario's role in terms of protecting families and children and the rights of parents to spend some time in the first year with their children would be among the best legislation, not among the poorest legislation.

Mrs Marland: I think on the surface it sounds very idealistic, but from a practical point of view the minister knows as well as I do that it will probably not mean a family spending a year with a newborn child because of the provisions of his bill, even though it extends the provisions of the federal bill. Those extensions are without pay; so how many families, realistically, are going to be able to afford to stay home with their newborn babies? The federal bill is a total of 25 weeks, as I understand it, and now the provincial bill has an entitlement for parents to 53 weeks. So I ask the minister, how realistic is his bill, if that is the reason he is doing it? I ask him also to explain to the people of Ontario who have two or three employees how they will be able to manage to meet the requirements of his bill in any case.

Hon Mr Mackenzie: I am not at all sure what that has to do with the amendment that is on the floor, quite frankly, but I still do not think it defeats the arguments I raised earlier. Some people will not be able to afford to take time off over what they are covered with on UI. We understand

that. It does not mean we do not work towards much more coverage for people at birthing time.

Mrs Marland: In response to the minister's comment that it may not have anything to do with the section of the bill that is before us, I prefaced my comments by saying that my question was dealing with the total aspect of the bill. In dealing with the total aspect of the bill, I am simply saying, how realistic is it to promise somebody the icing on the cake, as it were, knowing full well that they can hardly even afford the cake? I think that is the basis for what we are dealing with here, and in fairness to parents who might wish to take this option but who simply cannot afford it, then I guess I have to ask the minister, who is going to be paying for it? Who is going to pay for the protection of those jobs, and who is going to pay for the parents who do not have the opportunity to stay home with their children?

I think what the minister is creating, I suggest respectfully, is an elitist system. If he is coming from the point of view that everybody should have an opportunity that does not exist today, then I would suggest this bill does not do that. This bill creates an elitist system where people who can afford to do something in this province get to do it and other people, who cannot afford to, do not have that privilege. I think it is—I do not know what the other word is other than “misleading.” I am not able to use “misleading,” but I think it is confusing to the public. I think it is unfair because of those families that are above a certain income; yes, they would be able to afford to take those weeks without pay in order to be parents at home.

I think the next question is, if you are home with your child for the first year of his or her life, what happens in the subsequent years when that baby still has to go into outside care or care in the home with supervision from outside, a baby-sitter coming into the house? What is it that you are really doing here that is so beneficial while it is so discriminatory?

1730

Hon Mr Mackenzie: First, let me say that sick leave and pregnancy and parental can now total 30 weeks of benefits. We can now provide leave to cover this entire period, which is substantial. Whether you are poor or much better off, UI provides 15 pregnancy plus 15 weeks of parental if a child over six months is ill and comes into care. I guess the only answer I can give the member, other than outlining the kind of coverages that will now be there, is that I doubt very much if the member will be able to sell the argument that she has just raised with us to most of the women and workers in the province of Ontario.

Mrs Marland: With respect, most of the women workers in this province today have 17 weeks paid leave; the minister is talking about 15 weeks and 15 unpaid. My question is quite simple. What is it that the minister is giving? What is it that the minister feels he is doing for the majority of the parents in this province who could not afford to take leave without pay?

Hon Mr Mackenzie: Well, UI pays 15 pregnancy, as I mentioned a bit earlier, 10 weeks parental, and what we are really doing is providing protection for people for that

period of time. I think that is an important part of this particular bill.

Mrs Marland: Would the minister confirm for me that parental is unpaid leave?

Hon Mr Mackenzie: As far as the government is concerned, UI pays 10 weeks parental.

Mr Offer: Just on that question, I think it is recognized that the federal government has introduced certain changes to its UI regulations that the province has brought forward. In terms of job benefits, the province has brought forward a concomitant type of changes to the Employment Standards Act based on the federal UI changes. However, I think it is also clear that the province has not only met the recent federal changes but has also exceeded the type of job benefit that is now provided by the federal government in terms of job protection provided by the Ontario government.

I apologize for the preamble, but my question is really as a result of the question by the member for Mississauga South. Is there any activity now being undertaken by the ministry and/or the minister to his federal counterpart with a view to increasing the regulations so that they are in step with the protections afforded by these amendments?

Hon Mr Mackenzie: If the member is asking if we contacted the UI people to increase UI benefits, at the moment the answer is no.

Mr Turnbull: Do I understand correctly that anyone who is on such leave is eligible for holiday pay during this time?

Hon Mr Mackenzie: Time during their leave counts towards their benefits. It is not provided for specifically.

Mr Turnbull: It appears to me that an awful lot of people who take parental leave conclude in the end that they would sooner take longer time and be with their children. Does that mean that if they decide they do not want to go back to their job at the end of the leave, in fact they may qualify for holiday pay while they have been on leave, even in the case of somebody who has been working for a company for only three months before going on leave?

Hon Mr Mackenzie: The time on leave counts. If they go back to work, they would certainly be entitled to the time for the holiday that occurred during that period of time.

Mr Turnbull: Does that suggest that if they do not go back they do not qualify for any holiday pay for that period?

Hon Mr Mackenzie: Time spent on leave is counted towards the employment time on which vacation time is calculated.

Mr Turnbull: Does that mean that when people who have been in a job for, say, three months leave on pregnancy leave and they go away and holiday pay has accrued and they come back for one week and then leave and want to look after their children beyond that, they will qualify for holiday pay for all of that period they have been off?

Hon Mr Mackenzie: I think we are going to need to ask a question on that particular one. We will get back to it very quickly.

The Chair: Shall the motion carry?

All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion the nays have it.

Vote stacked.

The Chair: Mrs Witmer moves that subsection 38a(1), as set out in section 2 of the bill, be struck out and the following substituted therefor:

"(1) An employee who has been employed by his or her employer for at least 26 weeks and who is the parent of a child is entitled to a leave of absence without pay following,

"(a) the birth of a child; or

"(b) the coming of the child into the custody, care and control of a parent for the first time."

Mrs Witmer: This is a complementary motion to the one I just moved and the rationale is the same.

Hon Mr Mackenzie: The arguments for opposing it are the same.

Mr Offer: On a point of order, Mr Chairman: My understanding is that in the event the member for Waterloo North's amendment on subsection 36(1) passes this will, of necessity, have to pass and of course the opposite holds true. As such, the debate would be fairly superfluous.

The Chair: It is agreed, but at the same time, if you want to pursue the subject, you are free to do so.

Mrs Witmer: As I indicated, this is a complementary motion and the arguments would be the same.

The Chair: Shall the motion carry?

All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion the nays have it.

Vote stacked.

1740

The Chair: Anything further on section 2?

Mr Offer: I understand—correct me if I am mistaken—there was agreement on behalf of the member for Brampton South that we would revert back to section 1 after there had been debate on the two amendments. That being now completed, I would ask that we give that member the opportunity to share his thoughts on section 1.

The Chair: Do we have consent to reopen section 1?

Agreed to.

Section 1:

Mr Callahan: I want to say at the outset that I am in favour of anything that is going to assist the position of children. Anything that is going to assist the cohesiveness of family, I am in favour of that too. But I want to look at the definition of "parent." I am told by the minister's staff that Bill 7, the amendments to the Ontario Human Rights Code, allowed a scenario—I am going to be straight up front; I think everybody has been pussyfooting around this

issue thus far and I think it is important that it be brought out in terms of how I interpret it.

Do I understand that the definition of "parent" would include a situation where either two women or two men adopted a child? Is that right?

Hon Mr Mackenzie: That is correct. I do not know why the member says people have been dancing on it. I have said that twice; I clearly outlined it in my comments to previous speakers.

Mr Callahan: It is not getting in Hansard because the minister is covering his microphone. I am sorry. I apologize. I was out of the House when that was said and I thought it was important to at least be candid and up front. I had not heard that to this point.

I want to say at the outset—and I think his colleague to the left will appreciate this, having been in the House at the time of Bill 7—that I have no difficulty in terms of recognizing people's rights but I do have difficulty if that is the situation. Perhaps the minister's staff can tell me where in Bill 7 that right is conferred. I do not see it. There is a whole host of definitions here. Perhaps they can direct me to that section and I can satisfy myself that we, in fact, passed this already.

I see in there that in this section "spouse" means a person of the opposite sex to whom the person is married, with whom the person is living in a conjugal relationship outside marriage, if the two persons have cohabited for at least one year, are together the parents of a child or have together entered into a cohabitation agreement under section 53 of the Family Law Reform Act.

That is broad enough, I suppose, to cover the situation of people living in other than a heterosexual relationship, but until I am satisfied—and I have asked the minister's staff to provide me with evidence that Bill 7 went that far—I do not see how the minister can have the definition of "parent" left that way, particularly when it uses the word "includes," because by reason of legal definition if the minister says "means," I think his staff, if they are advising him legally, will tell him that the word "means" is a very confining word. When he uses the word "includes," it is a very broad word that can include a great number of other things that are not included in the bill.

Even looking at the definition of "parent," what the minister is doing is he is opening it up. Again, I say if it is for kids I can buy that, but if he is going to do it that way and if we are going to vote for it for children, we may very well see a situation where two women are living together because they are divorced and separated from their husbands or vice versa. That is fine. But if he is including in that what he has said, then I want a commitment from the minister and from the Premier that in fact we have not discussed the issue of whether or not that has opened it up for all the other rights that are being claimed by people who are outside the conventional type of relationship.

We have heard that they want it and it may well be that society at some point in time may consider it to be fair to do that, but if in fact the government is doing it by this bill, or getting one foot in the door, then I think the members of this House should recognize that.

We require a commitment. Does the minister intend that? I do not know whether that is a fair question or not, but I ask him that question, if he intends that as an opening up of this entire issue to situations such as family benefits, such as all the other things that stem from a relationship such as a common-law relationship—which I think we have come to recognize and I appreciate that and I support that. The recognition of what happens today in our society is that there are in fact people who are living in that relationship and should be recognized.

What I want to know is, does it recognize and does it enlarge the opportunities for all of the host of all other social welfare programs that are provided to support either couples from a common-law relationship or from a marital relationship? Does it open it up for these people? I think we should have that right on the record.

Hon Mr Mackenzie: I think the answer to that is no. What we are doing is something for children, for children that parents are looking after. I do not think it is the broad definition that the member is stating.

Mr Callahan: I accept that as the minister has said that in the House. I do not mean to argue this point in a pejorative fashion or to put down any human being of whatever persuasion, but I think it is very important that the point be made. We have the minister's commitment and I presume that we have the commitment of his party that if and when that issue is ever debated in this House no one will ever point to the fact that we have approved the word "parent" in this amendment as having already dealt with the issue.

If I have that commitment, I am content, because I think it is dealing with children and, as I said before, I have great compassion for children. They are not the authors of their own relationship, how they wind up. They are to be raised properly and I think that can be done very meaningfully in any type of a relationship. As long as I have that commitment from the minister, I can deal with it. I should add for the record that the minister's staff, if they check out the Human Rights Code, will find that was never—and I underline the word "never"—dealt with in Bill 7. In fact, it was talked about, but it was never dealt with.

Sections 3 to 6, inclusive, agreed to.

The Chair: We have two amendments to the bill. In the meantime, we will call in the members for a vote on these amendments; a 10-minute bell.

1758

The committee divided on Mrs. Witmer's amendment to subsection 36(1) of the act, as set out in section 2 of the bill, which was negatived on the following vote:

Ayes 18; nays 91.

The committee divided on Mrs. Witmer's amendment to subsection 38a(1) of the act, as set out in section 2 of the bill, which was negatived on the same vote.

Section 2 agreed to.

Bill ordered to be reported.

MUNICIPAL ELECTIONS STATUTE
LAW AMENDMENT ACT, 1990

Consideration of Bill 16, An Act to amend the Municipal Elections Act and certain other Acts related to Municipal Elections.

Hon Mr Cooke: Mr Chairman, might I ask the permission of the committee to bring officials on to the floor to help me with the bill?

Agreed to.

Section 1:

Mr Callahan: I have read the bill and I think it goes a long way towards what many of us who have been in municipal politics would like to see. I suggest it does not go far enough. I have been dismayed by the fact that we are now going into 1991 and we are still using the old system of enumeration, which may have been good enough back in the old days as a way of providing funding for the party faithful, but I think one of the first things I did here in 1985 was to suggest to the election expenses commission that we should in fact have a permanent voters' list. I notice that is not addressed, although the government is talking about modernization such as being able to use voting machines in Metro Toronto and so on.

Surely the basic issue today in terms of what people out there are trying to tell us as politicians is that they are tired of spending money on what they consider to be unnecessary items.

Recognizing that and recognizing what has taken place in the last provincial election and perhaps will take place in the next municipal election, and what will take place for sure in the federal election, the voters are going to tell their elected representatives, "We are tired of wasting money."

I suggest to the minister, with the greatest of respect, that this bill, if it is making the changes it is making, should include such things as a permanent voters' list. It is not that difficult to do. It makes it far easier for the people who are running for office to identify the people who are interested and the people who are to be spoken to in terms of an election. It makes it far more democratic. It means far less cost to the citizens of this province, and it can be done as simply as we do with our driver's licence by requiring that the information be shared through a computer system to provide for a permanent voters' list.

I cannot remember the year, but I can recall when three elections took place all at one time: a federal election, a provincial election and a municipal election. The enumerators were out there knocking on doors, collecting the names, which were very similar in all cases, and being paid for it out of the public trough. We can ill afford to waste money that could be better spent on programs that are important to the people of this province.

I suggest this bill requires amendment in that regard. It also requires amendment in a further regard.

The minister speaks of election reform. A bill is not really a reform unless we add to it, in a similar vein as I put to the Minister of Education in her amendments to her act. In terms of replacing an individual who moves up to provincial or federal politics, leaves politics or whatever, we need an amendment to provide that the democratic will

should be given full bent by recognizing that the person who polled the next highest votes in the election should be the person who takes the seat. The clubby, old-boy atmosphere that has existed in this province and in this country should be at an end.

The people of this province should be able to look a person who is elected as a member of whatever House, be it here or Ottawa, or municipal or school board, and should be able to say that they had some opportunity to make a decision in terms of the person, be it he or she, who got the seat. I for one, and I am sure there must be many members in this House who take the same position, object to the cost of an election at a time when people are homeless on the streets, when people are going to food banks for food, when young couples are losing their homes because of not being able to afford the high mortgages that they have taken on themselves to pay for the housing in this community. We have an obligation to make certain that the dollars that we spend in this Legislature and the Parliament of Canada, the school boards and the city councils are spent for the direct benefit of those people.

I suggest we cannot leave the act as it is now, where in fact councils can in many cases perform in a clubby fashion and decide to appoint a person to that seat which pays a fairly high honorarium these days. In the old days I guess they did it for free—in those days maybe this situation was a good idea—but today honorariums pay well, and I think the public should be aware that very often on city councils it can be as high as \$50,000 or \$60,000, one third of that being tax free, and on school boards a similar arrangement, perhaps a bit less depending on whether it is a separate or public school board. I think people want quality for their money. The only way they will get quality for their money is if we bring our laws into the 21st century.

I suggest we can do that the two ways I have mentioned. The first one is a permanent voters' list to make certain that we are not giving money to all those party faithful who go out and knock on doors and in most cases, with all due respect to them, screw up the enumeration because they are putting people on the rolls who should not be on there, they are collecting money for it, they do not go back, people complain they do not get their franchise because the people do not come back enough times to do it.

Surely, if we are going to be looking at An Act to amend the Municipal Elections Act and certain other Acts related to Municipal Elections, we should be amending it in a way that is going to benefit the people of this province, not just simply to do a little bit of glossing on the pumpkin, but in terms of making it a permanent, productive and cost-effective way of doing it.

1810

The leader of the third party went around in the last election talking about taxes and the cost to people. The Premier went around the province talking about integrity. I suggest that both of those commodities would be engendered in amendments that I am suggesting.

I told the Minister of Education the other day I have two amendments that I will be presenting to the House,

hopefully tomorrow, that will deal with both of these issues, but I think the House itself has to recognize that the throwaway money that we used in the past is no longer appropriate.

I am from a riding that is rural and urban. We have people, not that many, living on the streets in the city of Brampton. The Knights of Columbus of my riding have opened up a knights' table to be able to supply food to these people. I come down to Toronto and am absolutely appalled at the fact that people today have almost gotten like the people in New York. They walk by people who are lying on the street, who are perhaps living out of a bag, who they consider, I guess, to be odd. I would hope that members of the Legislature would never pass those people without remembering the fact that they are human beings and are entitled to the same dignity as all the rest of us. I think the final analysis of it is that we are required to be frugal, to make certain that if we are throwing money away and wasting it, that it should not be wasted, so that money is available to look after those people.

In the final analysis, we are elected not just by our ridings. We are elected by the people of Ontario. We are elected by people, and I underline the word "people." People are not just votes, they are not just people who put us here in these jobs that some say are cushy, and maybe they are. They are only cushy if you let them be cushy. But in the final analysis, I would hope the minister and his colleague the Minister of Education would look at it in terms of a permanent voters' list—no more of this patronage junk, money being spent for no purpose, no more the clubby atmosphere of appointing somebody who happens to be the friend of the council or the school board. I should hasten to say that in my riding, my city council actually did appoint the person who won the second highest votes, so he gained the benefit of all of the things I have said.

I would hope the government caucus and its cabinet would see that this is the way to deal with an issue in terms of all the things I have said, and let's let the people of Ontario out there know, particularly at this time around Christmas, probably the most difficult time of the year to be homeless, to be poor, to be trying to find the next buck—I am sure we have all had situations where we have had calls from constituents, young people where their husbands or wives were out of work and, in order to support the family, it was necessary for both of them to work, it has caused problems in the marriage and the final flotsam and jetsam of the whole thing are the children because they have to watch this at Christmastime, or any other time of the year, but particularly Christmas. I think we should give them a Christmas present in this province and maybe be a leader in terms of all provinces, in terms of coming up with amendments to this act that will be meaningful, not just the usual—

The Second Deputy Chair: Section 1 of the bill please.

Mr Callahan: Well, so that section 1 will be more meaningful in terms of the people of this province for this Christmas. Finally, I would say that surely today, with

computers, we can come up with a bill where the actual bill that is in existence is on the right-hand side of the page and the amendments are on the left-hand side of the page. This would benefit those people who perhaps are not prepared to go in the back there and pull out the original bill. I should tell the Chairman that those bills back there are defective. They go back only to 1986. We are now in 1990. Where do I find them? Do I go to the library to get them?

We should be in a position that someone sitting down here as an average layperson can in fact look at one side of the bill, look at the other side of the bill and understand what those amendments mean. I think too often, more often than not in this House, with the exception of the minister and maybe his or her parliamentary assistant, perhaps the staff are really the only people in this House who even know what they are voting on at voting time. That is not a partisan comment. That goes for everybody in this House.

I suggest to the Minister of Government Services or whoever is responsible that this is something which should be changed. It could be a very efficient change and it would allow us as legislators to in fact understand what we are doing, because there are people out there who pay our salaries and expect us to look at every jot and word as best we can in terms of whether we should vote for it or not vote for it.

Finally—and I am sure I will get myself in trouble as I always did when I was in government—the Premier should forget about the Constitution; he is not there, but he should forget about it. Let's look at the issue in terms of allowing people to vote to represent the people of their ridings. Let's forget about this seal program. I do not say that disparagingly to the people opposite because the seal program goes for whoever happens to get on that side of the House, and sometimes on this side here.

There should be much more undisciplined voting. The members should be entitled to question what legislation comes before this House. They should be entitled to vote the way they want to. The government should not fall because the vote does not come out the right way. I think the people of Ontario are telling us out there in this world that becomes very much more complex, becomes very much more demanding, that they want their representatives of this Parliament, the Parliament of Canada, as they do on municipal council—

The member for Mississauga South would confirm, as would anybody who sat on municipal council, that that in fact is how it happens. That is why people municipally vote for the person, not for the party. That is exactly why with section 1, which is the introduction of this entire bill, the minister has an opportunity to in fact create a new beginning. One is the first number, so let's make this an A-1 year by looking at it in terms of trying to come up with a way that we can make our electoral process not only relevant, effective and economical, but in the final analysis, let's make certain that when the people we serve out in our ridings of Niagara or Kingston watch us, they are not watching us espouse a party line or clap because

our minister said something which we probably totally disagree with.

I can say this because I occupy Sam Cureatz's chair and Sam used to say this almost as a preacher. He would say, "You represent and you are accountable only to the people who elected you." The members may think they are going to get into cabinet under Bill 1, but that is not necessarily the case. The way we will find their smiling faces back here is if they have the guts to change the whole system and they have the guts to be accountable to the people who elected them. If they do not do that, then we can turn on the lights, the cameras, the sound, put the Speaker in his chair—and really what we are doing is right out of Charles Dickens.

We are trying to make changes in this House, changes that I personally, as other members do, find to be abhorrent. But the guts of it is to vote for the people who elected us. The government has a sacred trust, as we all do with section 1 of this act, and we have an obligation. We all have to go home at night and believe that we have in fact improved that system.

I urge the minister and I urge his colleague in Education to make certain that every time a piece of legislation is put before this House it has a number of hallmarks; first of all, that it is the most economical way of doing it, the most effective for the people of this province, the most honest for each member in terms of our ability to be able to vote for it the way we feel, not just on issues of great moral conscience, and that in fact the government does not fall—which is kind of silly really. I mean that is great in England; maybe we should get rid of that—and finally, the old expression, which I guess is a cliché, "Be true to yourself; that's the most important thing in this life."

1820

I urge the minister and the Premier, who I think is a caring guy—in fact, I watched him on the Air Farce and I want the minister to tell him that I thought he was great. Nobody is clapping. I thought they would all be clapping. He came across as a guy who cared, and if the perception is the reality, and I hope it is, then I would think that this message I have taken time out of members' lives to say is one that the minister would raise in caucus and fight strongly for.

By the way, Merry Christmas, everybody.

Section 1 agreed to.

Section 2 agreed to.

Section 3:

The Second Deputy Chair: Mr B. Murdoch moves that section 3 of the bill be amended by adding the following subsection:

"(2) Subclause 2(a)(iv) of the act is amended by adding at the beginning 'trustee, commissioner or.'"

Mr B. Murdoch: This motion just makes use of the terms "trustee, commissioner or other member," consistent with subsection 29(2) of the bill, which allows the use of the terms on the ballots. This is just a sort of cleanup clause.

Hon Mr Cooke: We have no particular problem with this amendment other than that the ministry officials are

suggesting we should add at the very end of the member's amendment, after the word "or," the word "other," which then would flow into the amendment and the amendment would then fit in with the bill.

Mr B. Murdoch: I will accept that as a friendly amendment.

Motion agreed to.

Section 3, as amended, agreed to.

Sections 4 to 10, inclusive, agreed to.

Section 11:

The Second Deputy Chair: Mr B. Murdoch moves that section 18 of the act, as set out in section 11 of the bill be amended by striking out "1,000" in the second line and substituting "500."

Mr B. Murdoch: I think in the rural areas and in the northern areas 1,000 for a poll would be just too many. In places with larger populations, it may work; but when the populations are not as large, it would make a lot of driving for some people to get there. I think 500 would be more realistic.

The Second Deputy Chair: I think that is a justifiable explanation.

Hon Mr Cooke: We will accept the amendment, but I would like to just point out to the members that the section we have proposed does not indicate there would have to be 1,000 voters in each poll. It says "up to 1,000" and was basically leaving the decision up to local councils. But understanding the concern that the member and other people have expressed, we will accept the amendment proposed by the Conservative Party.

Section 11, as amended, agreed to.

Sections 12 to 40, inclusive, agreed to.

Section 41:

The Second Deputy Chair: Mr Turnbull moves that subsection 41(2) of the bill be struck out and the following substituted:

"Subsection 67(5) of the act is repealed and the following substituted:

"(5) A person who has been appointed a voting proxy shall complete an application in the prescribed form, including a statutory declaration that the person is the person appointed as a voting proxy, and shall appear before the clerk in person for this purpose at the clerk's office,

"(a) during normal office hours; or

"(b) during the period from 12 noon to 5 pm on the Saturday of the advance poll held under section 66."

Mr Turnbull: This amendment is made in order to allow those people living in municipalities other than the one they are voting in the opportunity to vote and to be declared a proxy on the same day. Typically, this is done on a Saturday and this will facilitate it so that they do not have to travel twice to get the proxy vote.

Hon Mr Cooke: Again, the proposal in the act as we have it before us today is not meant to and was not worded in a way that we believe would exclude this happening on Saturday. However, in order to make sure that there is this type of flexibility and that everybody understands that

there is this type of flexibility, I will accept the amendment so that it is perfectly clear.

Motion agreed to.

Section 41, as amended, agreed to.

Mrs Caplan: As this debate concludes, I want to take a moment just to remind the Minister of Municipal Affairs that he has another obligation as the Minister of Housing. Under this bill, I told him when he presented it for first reading that while we would be supporting the bill I would hope and I believe it is possible that we do not have to institutionalize homelessness in our society and that one of our goals must be to see that the homeless not only have the right to vote but that they have a right to a home. I believe that it is possible that by the end of the mandate of this government in fact the right to enumeration which we are ensuring with the passage of this legislation will be unnecessary and that the minister and this government will achieve what I think is an achievable goal and what we, when we had the opportunity to be in government, were working towards. That was not merely to see that we accommodated people in hostels and that they did not have to be on the streets of our municipalities across this province, but that in fact they had an opportunity and a right to expect they would have a roof over their heads.

1830

So it is that I feel it is opportune and appropriate this evening when I am speaking to Bill 16 that I remind the Minister of Municipal Affairs that there is much that he can do, not only as Minister of Housing but as Minister of Municipal Affairs, to ensure that that goal, which I believe we all share in this House, is a reality; that the municipalities have high expectations of him as Minister of Municipal Affairs; and that the people of this province believe that is an achievable goal over the mandate of this government: that is, that the homeless are homeless no more and that people have not only the right to vote in our society but the right to a roof over their heads.

I would challenge him tonight, with the passage of this piece of legislation, that by the election following the one which is coming up in November 1991 he commit himself to doing everything within his power to ensure that the provisions of this piece of legislation are unnecessary and that the people of this province will be able to be enumerated in their homes.

It is with those few comments that I conclude the debate from my perspective on Bill 16. It is a fine piece of Liberal legislation and I believe the minister is moving forward with it in an expeditious fashion.

Sections 42 to 116, inclusive, agreed to.

Hon Mr Cooke: Very briefly, I appreciate the constructive comments from both of the opposition parties and the amendments that were proposed by the Conservative Party. I would indicate to the member for Oriole, the Liberal Municipal Affairs critic, that I totally agree with her. I would certainly be more than willing to listen to any constructive proposals that she or her Housing critic have to help us develop a housing strategy that will in fact achieve what is a very major challenge to this government, as it was to her government just a few months ago.

There are now, as I understand it, approximately 40,000 people on the waiting list for socially assisted housing in Ontario. That number has stayed pretty much the same for several years. There is a proposal from the Ontario Housing Corp to add to the eligibility list folks who are of refugee status, which she will be aware, from being in the previous government, has been an issue that governments have faced for quite some time without assistance from the federal government in trying to deal with the very real needs that refugees and new Canadians face in our province, and more specifically in Toronto. If those 50,000 were added, we could basically look at a waiting list of about 90,000 people in Ontario right now.

So it is very much a real and significant and major challenge and I hope we will be able to do our best to solve that problem to the best of our limit as a government, to the best of our limit as a society in our province.

It certainly is one of the most important challenges, if not the most important challenge, facing this province today.

Bill, as amended, ordered to be reported.

On motion by Mr Cooke, the committee of the whole House reported two bills without amendment and two bills with certain amendments.

RESIDENTIAL RENT REGULATION AMENDMENT ACT, 1990

Resuming the adjourned debate on the motion for second reading of Bill 4, An Act to amend the Residential Rent Regulation Act, 1986.

Mr B. Murdoch: I am pleased to be able to address the House on my concerns with the Minister of Housing's proposed Bill 4.

This legislation worries me, because I am afraid that small landlords will suffer badly. The intent of this legislation goes against everything I believe in. I am astounded that the minister and this government think it is perfectly all right to give blanket protection to tenants but none to landlords. The government is very concerned with the tenants' quality of life, and I have no quarrel with this, but I would remind the government that landlords are people too and are equally deserving of the same quality of life.

The minister may not believe this, but landlords have families, too, who need food, clothing, education and all other material comforts which this government so devoutly wishes for tenants. But this legislation will deny them this by allowing landlords only a 4.6% increase in rents. This, as the minister well knows, will not even give them enough to cover the anticipated rise in the cost of living, which even the government puts at over 6%. How will they manage? What will the minister do for the building owners? It is obvious the minister does not know and does not care.

It seems to me that the minister has conveniently forgotten that without landlords erecting and owning buildings, tenants in this province will have nowhere to go to live. This government seems to think that landlords have a duty to provide cheap housing for tenants and that tenants have some sort of divine right to pay as little as possible. I do not believe this.

Home owners in Ontario are rightly expected to carry their own burdens, to pay their mortgages and bills and to live in a fiscally responsible fashion. Why does this government not have the same expectation for tenants? What makes them more special? Could it be that they represent thousands more votes than those of landlords and that this government wants these votes again in four years?

Not only do I disagree in principle with this bill because I believe that all people in Ontario should be treated fairly and that no single group should be more special than others, I also disagree with the fact that this legislation, without even being passed, is retroactive to 1 October, almost two months before it was even introduced to this House.

I have a case in my riding which shows as clearly as anything can the basic unfairness of this retroactive clause. The Gorbet family of Owen Sound are small landlords. They do not own large high-rises. They have only seven apartments in a building that is 100 years old. Quite obviously, after 100 years some repairs were needed. Wiring had to be updated to conform to the fire marshal's code. New, more energy-efficient windows had to be installed. Copper plumbing was put in. These are not luxury improvements. These are necessary repairs needed to give the tenants a reasonable degree of comfort. The tenants were informed that the work would be done, and they did not object.

The Gorbets borrowed the money to do this work from the Bank of Montreal at 13.4%. The work was begun and the Gorbets, as required, appeared before the residential rent review committee. The committee approved the work and set the increased rent, but did not issue an order until 14 November of this year. The minister introduced his bill on 28 November and all of a sudden, because of the retroactive clause, the Gorbets find they cannot recoup the money they borrowed and spent.

How are these ordinary people, whom the NDP professes to speak for, to recover money borrowed at 13.4% when they are allowed to increase rents by only 4.6%?

1840

I have another example of a small landlord, Allen Smart, again in Owen Sound, who purchased a 10-unit building for \$400,000. To pay for this, he had to take out first and second mortgages at 11.75% and 14.25% respectively. His rental revenue is presently \$49,000 per year and his costs for the mortgage and the basic maintenance are \$65,093 per year.

He appeared before the rent review people and was granted increases to break even that were to come into effect on 1 January. As a result of this legislation, Mr Smart is facing personal bankruptcy. He has a wife and five children to support. He can see no other course of action but to offer his building for sale to the government.

He has sent the minister an agreement of purchase and sale. I would like to read his letter right now. It is dated 10 December, to the minister:

"Re: Agreement of purchase and sale.

"Due to your proposed legislation on the housing situation in Ontario, I will be unable to meet my mortgage payments thereby ending up in personal bankruptcy and

putting my wife and five children out on the street. To avoid such a disaster, I am offering, through you, to the government of Ontario my rental building.

"Attached please find all pertinent information on this rental property, along with an agreement of purchaser and sale.

"Hoping you will make this a happy Christmas, I remain,

"Indebtedly yours,

"Allen Smart."

This was sent to the minister on 10 December. I hope the government is planning to buy this building from him so that his Christmas can be all right.

I have another letter from some other ratepayers in our area. This was addressed to myself:

"Dear Mr Murdoch,

"This letter is being written to seek your help to restore some sanity to the landlord-tenant situation that Bob Rae and this government are creating.

"Changes were certainly needed but this solution of victimizing the landlord is just swinging the injustices from the tenants to the landlords. Two wrongs never made a right. In the end it's everyone who will lose.

"I am only one small landlord, but I've put all my money and sweat and years of working into purchasing a 12-unit building, hoping it would be my retirement security. I spent 30 years working 12 to 16 hours a day, for eight months a year, away from my home and family to save for this. How many people do you know who would sacrifice like this? (Certainly not most tenants.)

"Now after all this struggle and planning, Bob Rae and his government are pulling the plug on us and it was all for nothing! Why are some people (tenants) entitled to apartments in good state of repair and free legal help if it isn't, at no expense to them? No one helps people keep their homes in good repair and updated, so, why wouldn't everyone be better off being a tenant?

"It's perfectly obvious, Bob Rae and his cabinet have never been landlords. I know of no other business where you are told how to run it and how much you should expect in return and all the rules are stacked so you can't even survive let alone get ahead. You can't even sell it, because no one in their right mind would buy it and become a landlord.

"Russia found that a state-run society doesn't work. We are not learning this lesson very well. If this strategy is allowed to become law, it will become the financial ruin of a lot of people like ourselves in this province.

"Maybe we tried too hard to build for the future and should have been satisfied to live on welfare—no worries—no stress and free legal counsel if the landlord neglects something. Sounds good, doesn't it? And I won't even have to work for it.

"Please do whatever you can to stop this ridiculous plan before it causes grief and ruination for landlords and eventually hurts the tenants too. A person in this country shouldn't be encouraged to work hard and better themselves, and then have the government pull the plug on them.

"Last night we received a letter from the Ministry of Housing warning us as soon as they get this law passed

we'll have to give back the \$2 extra per month we were given from rent review starting October 1, 1990. Greed. They can't wait. This amount is \$24 a year per tenant. This increase was applied for on July 1, 1990 for work done the previous year. How can they make us give it back? They weren't in power then and even if it is passed it should have no bearing on work done in 1989. Total injustice.

"Thanks for anything you can do for all landlords of Ontario.

"Yours truly,

"Keith and Lois White."

There are many more letters like this coming into our office every day. I am afraid that there are many other people in Mr Smart's position whom the government is ignoring.

This legislation is seriously flawed. The minister says that picking the 1 October date was not an easy decision. I am afraid it goes further than that. It was the wrong decision. I urge the minister to reconsider so that the landlords caught in the same situation as the Gorbets, the Smarts and the Whites will not suffer. Obviously, if they had known what the minister was planning, their renovations would not have been done.

That brings me to my other very real concern with this bill. Landlords who cannot hope to recover these losses will simply let their buildings go. No rational people, and I venture to say even some members of the NDP, would simply spend thousands of dollars to upgrade when they know that what they are paying is from their own pockets. It makes no sense.

I am afraid that we will become a province of buildings in disarray. The minister says landlords have a responsibility to keep the standard of buildings up, yet I feel he is totally out of touch if he thinks that anyone would do this without compensation, especially in a time of economic downturn.

As I have said, I find this legislation totally unreasonable. It will badly hurt small landlords and the tenants who live in their buildings, and will create a province of slum buildings. This is not a province in which I would be proud to live.

The thing that really bothers me also is that the NDP says it is for everybody. Well, the tenants are people also and I think the government members have to consider that when they are passing this bill. I hope the minister will look at this and look at his retroactive plan and make some changes.

The Acting Speaker (Mr Villeneuve): Questions or comments?

Mr Arnott: I want to rise to compliment the member for Grey on his sincere and candid presentation of his views today. I am disappointed that the Minister of Housing is not here to hear these concerns. I agree with his basic thrust, and that is that rent controls have severely distorted the rental housing market in Ontario from the time they were conceived in 1975.

I am concerned about a lot of things with respect to this particular bill. I see property rights being further downgraded and I see the ability of landlords to derive a

decent return on their investment completely squashed with this bill. I am very, very concerned about the retroactivity aspect of it. I think it is going to be highly injurious to the economy. I am concerned about the deteriorating housing stock and the way this bill will really inhibit future repairs to our existing housing stock.

I think that rural Ontario never needed rent controls. I know, in speaking in my riding, that we have a situation presently where I feel rent controls have severely decreased the housing supply. In the town of Fergus, which is the largest municipality in my riding, there is currently a vacancy rate of less than 1%. I know the former government in its efforts to provide non-profit housing did make efforts to ensure that there was adequate non-profit housing in Fergus, but it was not able to fund projects such as Sunny Acres, which was an important application to the Homes Now project that was never realized.

The minister is not present, but I would hope that the members opposite will encourage their minister to reject the biases of their party's rhetoric and employ some degree of moderation in the amendments that are proposed to Bill 4.

Mr Curling: Mr Speaker, I just want to point out that maybe we cannot conduct business. We do not seem to have a quorum here.

The Acting Speaker: Clerk, is there a quorum present? There is a quorum present.

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Mr B. Murdoch: Just in replying, I know that some of the members of the NDP tell me about the horrendous problems they hear from tenants from time to time and that seems to be mainly in larger cities where the problem is. As the member for Wellington mentioned, in the rural areas we have not had these problems. It seems to be a big problem in the larger centres. I hope the NDP will look at that.

They do not have to make solutions here for all over Ontario. They can look at different places. Rent controls in the rural areas have not been as big a problem. Some of the members mentioned some of the stories, that their tenants had been gouged, and now they are going to turn around and gouge the landlords. Two wrongs will not make a right. We have to look for everyone to see whether we can fix a solution.

I think that the members over there have to look within themselves to see where the problem really is. I do not think they can do that by picking on the landlords. I know there are problems in some places, but let us look at those problems and not make the landlords pay for everybody.

Ms Harrington: Further to the previous speaker looking for solutions, I believe that is what we are here for and that this is what we have to do.

It may be the appropriate time, at the beginning of this government's mandate, to examine why the Ministry of Housing in Ontario is here and what we should be doing. Over the past 18 years—possibly 15; I am not sure how far back the ministry goes—various programs have evolved to

serve the people of Ontario, sometimes with contradictory effects.

Do the various separate pieces fit together into a co-ordinated approach to housing? It may be time to ask this question. We have rent review. We have the Ontario Housing Corp. We have the non-profit programs the previous person mentioned. We have the Ontario Building Code which is part of the Ministry of Housing. We also have land use planning. These are some the various pieces that we are responsible for.

It may be time to ask, why is the government involved in housing? This is, I think, the basic question that some of the opposition people are raising.

Mr Curling: The Tories.

Ms Harrington: Yes. "Wasn't it historically provided through the market system?" This is what the member is saying. "Isn't housing now and still, as it was in the past, the best way for individuals to invest and to secure their future?" I must say in my experience the answer is yes and yes.

I remember the first job I had. I was able to get an apartment. I wanted to save money because I wanted to go overseas to do further study, so I got an apartment for \$50 a month. For an extra \$10 a month they put some furniture in the second floor of the house and I was able to save quite a lot of money.

When I was first married we were in Hamilton—this was about 1970—and we rented an apartment for \$80 a month and were able to save up money to buy a home with \$2,000 down. We borrowed from the credit union and in 1972 bought a brick bungalow in Grimsby, the best investment we ever made. Unfortunately, a year later we had to move away, so we rented out that house in Grimsby and bought another house elsewhere. That is the way to go, right? Grimsby 1972; wonderful.

Unfortunately, that type of situation, that type of market where you have a choice with regard to where you want to rent and where you want to buy is just not here. It is long gone. The reality is that this type of situation is just not here for our children. We have to come to grips with the question, is housing a right?

In 1948 the UN proclaimed certain human rights—last week was International Human Rights Week—and these were food, clothing, housing, education and medical care. We all recognize housing is one of the basic underpinnings of our own personal lives, especially for children who are growing up. Our home is our security blanket. Having a home is actually an enabling process. It enables us to do something meaningful with our lives. I would almost say that in a small way each of us can identify with that feeling. When we were first elected, all of us new people had a huge job to do in September to find out what was happening here in Toronto, but we were homeless in Toronto. Unless you have that base, you cannot reach out and do the job you are supposed to do and stabilize your life.

Knowing how important housing is to our whole society, it is up to this government, working together with input from all sectors, to put the pieces of the housing puzzle together in some meaningful workable way. Our

government-owned housing is one of these aspects, as are our community non-profit housing, our co-op housing, our market rental units, our condos, our rooming and boarding houses, and of course single family homes.

We must look to the future of Ontario—I believe that is what politicians were elected for—and look at what kinds of communities we want. This is going to involve issues of transportation, land use planning, saving rural land, intensification of our cities to save infrastructure costs, revitalizing inner city land and working with the private developers.

I would like to say that with basic principles such as the integration of neighbourhoods, which I think nearly every one of us would agree with now, we have to get over that not-in-my-backyard syndrome. Principles such as environmentally sound development, new creative ideas and partnerships, I believe, are the way for this government to participate in the future of housing in Ontario.

An example of this was announced exactly two weeks ago. It was called Houseexpo. This was planned for 1997. Original thinkers, such as Michael Melling and John Bus-sell, together forged links with bankers, developers, community groups and government—in fact, all three levels of government—to try to produce 100,000 housing units here in Toronto by 1997. The principles they were going with were innovative design, things such as small projects well integrated into neighbourhoods, building above stores on main streets. All kinds of new ideas are what we need.

Because the home ownership option is so limited these days, rental housing is an important part of the housing picture, and probably the members would agree that in future it is going to be an even more important part of the housing picture in Ontario with the way the economy is. I am not sure.

In rental housing there are several principles which are emerging that I think we have to come to grips with. First of all is the importance of control. I believe that tenants need some control of their lives, just like home owners do—control of tenure, for example, so that they have security. Second is the principle of inclusion in the decision-making process about the unit they rent, and the principle of participation in their community.

Within this broad framework of housing strategy that we are hoping to develop with help from all people, where does rent regulation fit? The facts are clear, I hope the members would agree, that the existing system that we found when we came into government was not working. It was a shambles of complexity for tenants and for small landlords. It was too difficult to figure out. The mandate of this government was very clear, as every day the opposition points out to us. We must hold to what we promised, that we must, once elected, do something. We have done the only thing that was possible, and that is press down, put the lid on and give a breathing space to evaluate the road to the future.

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We realize full well that a new fair partnership with the private sector must be forged as soon as possible, with serious and meaningful consultation. Of course, we have that dichotomy. We want to act now and we want to do it

right, but sometimes you cannot have both. We want to make sure that we do it right, and yet the opposition is telling us we have to act now.

This long-term solution must be fair, it must be simple and it must work without a massive bureaucracy. There are several points of contention which have arisen. First of all, the question has already been raised with regard to the dating and timing of this putting a lid on, the moratorium. We could not go back too far; we could not go to the future too far. Thus, if we went to the future too far we would be letting a flood more of rent increases go through the pipe, and the number of 130,000 has been mentioned. We must fix a reasonable date and there was a lot of discussion on that, I can tell members. The date that was chosen was 1 October 1990. Of course, there is no one correct date that would certainly please all sides.

The second point of contention is the question of, what do rents in fact cover? Anyone owning a home knows that you have some light years in terms of your expenses and you have some very heavy years in terms of your expenses. Everyone knows you have to save for or at least expect that you would fix your concrete steps, as in an apartment building you would have to fix your concrete underground parking or your driveway, every 20 years. You must replace windows every 30 years or replace your roof every 15 years. Our position is clearly that these types of responsibilities belong to the owner, just like a home owner. You would include these kinds of expenses in the rent. It is his or her building and its value on the market depends on the quality of upkeep of the building by the owner. All of us in home ownership know that. The present system encourages landlords to neglect maintenance until a repair is large enough to justify an application through the rent review system.

I wish to address some statements that were being made. These letters did come to me. I received some letters too. This was last week, from a group called AFFORD. Bert Reitter says in part in his letter: "Landlords have already spent millions of dollars on vital structural repairs and major improvements which they will lose under this shocking retroactive bill."

I would like to say that home owners and every person with common sense would know that doing structural repairs and major improvements is not money lost. How can you claim it is money lost? Value is added to any real property when improvements are made. Let's not throw up a smokescreen of paper values. This is the real world. What better investment than real estate or land?

Second, I received a letter from Jack Tse of Fairwin Investments. He had some interesting things to say. This is what he said, "What the government is doing is no different from what some Third World countries do by confiscating private property without compensation." I mean, what kind of sensationalism is that? He goes on to say, "The inability to finance apartment acquisitions or construction will be yet another nail in the coffin of our industry." I would like to know, if they are trying to finance apartment acquisitions—those are his exact words—I would much prefer that they would in fact run these buildings instead of acquiring buildings. They are not in the

business of acquiring buildings, which is what seems to be happening more and more. Why do they not get into the business of actually running them?

He also mentions construction. I would like to ask, since when have people in private industry been constructing buildings?

There are a couple of other examples. The vast majority of landlords, and of course the number was 85%, have increased rents by only the statutory amount each year, so this interim legislation will not affect them. It will affect only a few others, though.

Examples of these others: A year and a half ago, an Ottawa man with a \$500,000 down payment constructed a \$17-million building of 100 units. This man borrowed \$16.5 million. This year he asked the rent review board to grant him a 100% rent increase, increasing the average rent in the building from about \$625 to \$1,250. In fact, he got an increase of only 20%, but what is happening in these cases is that the increase was granted—mind you, only the 20%—and tenants paid almost half of the landlord's down payment of \$500,000 in the first year of operation. In any other business, if you borrow money like \$16 million, you go to the market and you take your chances. You cannot just push your prices up because your revenues are not big enough. Do you expect that in your first year of operation you would make a profit? That is what these people are trying to do. But let's remember that 25 years from now when the tenants have paid the mortgage, the landlord will have the \$17-million investment, much more than that of course, from his initial investment of \$500,000. That is the type of thing that is happening.

In another case, the landlord will receive an increase of more than 23%, yet that same landlord had to be given a court order to enforce work orders that had not been complied with. Yes, the new legislation will hurt the landlords who have only one concern and that is the maximization of their profit, but the legislation will make no difference to the 85% of landlords who do not apply to rent review each year.

Last, I wish to explain that housing is in fact, I believe, a woman's issue for three reasons.

First of all, housing is a basic right, yet women have the most difficulty getting housing—single parents, single women on low and uncertain incomes, elderly women who cannot cope on their own, women of colour, native women, women with disabilities.

Second, I would like to point out that the Ontario women's directorate began a study. It is a project that is taking 18 months to research the extent and nature of sexual coercion of women tenants. I would like members to take a minute to think about this. This is a very scary thing. There is no safe place now.

I would just like to quote a little bit from the NAC Housing Newsletter:

"The significance of safety in our home environment is of crucial concern to women. We have spoken of wife abuse and child sexual abuse mostly within the context of the patriarchal family relationship, but less frequently made the connection to our own housing forms as a paral-

lel to that family model. What an irony that a woman who escapes such a home environment may be subjected to similar sexist abuse as part of her rental situation." Let's be clear about what we mean by this—by landlords or superintendents, etc. We are only beginning to reveal "the connections between sexual violence and housing."

The third point: I would like to reaffirm what was stated on 19 November at the lobby of the transition houses of Ontario over at the Macdonald Block. At that time, they put forward a statement about violence against women and the connection with housing. The one line I would like to tell members says, "Too frequently women cite the lack of safe, affordable accommodation as the primary reason for extending their shelter stay"—and of course we as a government are financing these shelters—"and secondly, it is also the reason"—because they cannot get other accommodation—"why they stay in abusive relationships. Women must have affordable rental housing if there is to be any choice, any alternative to an abusive relationship."

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To conclude, a new vision, a new strategy for housing in Ontario is needed. I think we would probably all agree, all three parties, to that. As part of that strategy, a workable, fair rent regulation system is needed and we are looking forward to working towards this goal with members' help.

Mr Harnick: I personally have absolutely no problem with the aspect of this bill that deals with freezing rents at 5.2% and 4.6%. It protects senior citizens, it protects young families.

However, I find the argument that capital costs should be included in rent fallacious, silly and wrong. The fact of the matter is, if someone builds a building and we have to decide what the rent for each of those units is going to be, to do it the way the government says it has to be done means that we have to sit down with an actuary and we have to say, "In 10 years I'm going to need new pavement on the parking lot, in 20 years I'm going to need a new roof, in 30 years I'm going to need a new parking garage," and we are going to go through new windows, new doors and every other capital cost that is incurred in the building. By the time we add up all those capital costs and put them in the rent, no one will be able to afford to live in that building.

If that was really what the government believed, then it would calculate its own costs on the same basis. In other words, when they gave school grants, they would not just give operating grants, they would give the operating grants and say, "You have to allocate those over all the years down the line so that when the school needs a new roof, then it comes out of the operating grants that we give you on a year-to-year basis." If the government really believed that capital is included in rent, that is the way it would do its own accounting for hospitals, for schools and for any other capital project in which it is involved. They do not do that and the reason they do not do that is because it is absolutely unaffordable to anyone.

That is the way they are treating landlords. They are hurting landlords, and by hurting landlords they are going to hurt tenants. Their argument is fallacious and it is wrong.

Mr Carr: I will be fairly brief. I just wanted to start off by complimenting the member for Niagara Falls for talking about the all-encompassing plan. I think that is an excellent point.

One of the problems, though, with this law is that a lot of the rental units have already dried up as a result of laws such as this. In fact, 80% of the rental units were created prior to 1975. What will be happening is that we will be drying up the market for the people we really, truly want to help—the tenants.

I guess one of the other things I am concerned about is, what will have to happen is that we will have to spend government money on building new rental units in this province. What that will do will be taking away a lot of other money from all the other social programs that are needed very urgently in this province.

Another point I wanted to make was that the member talked about the control. I think that was one of the words she used. "Inclusion," "participation" and "fair" were some of the words that she used. Unfortunately, one half of the equation, which is the landlords, do not feel that is being done to them. I think what we need in this province are laws that will work for both parties, not only the tenants but the landlords, so that it will be long-term. So while I want to compliment her on a few points, I think there are a couple of areas that we disagree with.

Finally, the third point there is with regard to the women's issues. I know I feel very strongly. I had an opportunity to go to the same meeting that the parliamentary assistant did at the Macdonald Block, at different times, and one of the things that concerned me was the fact that there is the need for more shelters. But I think what we need to do is make sure that these shelters are built and that we do have the transition houses for women in need, but that we do not confuse it with long-term in terms of building some of the rental units that are needed.

Mr Cousens: There is just one question I would like the parliamentary assistant to answer. Has she had any businessperson call her with regard to the effect this bill will have on the employees of that company who are being laid off because there is no longer a need for their services in installing or upgrading different facilities in apartment buildings? Could she be so kind as to say if she has heard from any one contractor and just what he said and what kind of answer she gave back to him if he had to lay off someone and he was seriously impacted in a negative way on this thing?

On the one hand, the minister can talk all he wants about his long-range, big picture. If I have any criticism at all about this government it has to do with the failure of the government to take into consideration the macro view. They have taken an isolated view. They have said, "Hey, we're going to protect tenants." At any cost, they have done that, and the cost is great. The cost is especially great to those people who are involved in working in those

apartment buildings, working on the facilities to make them better and to improve upon them. We are not talking about the outrageous, high, expensive marble items and so on. We are talking about sink repairs and plumbing repairs and heating repairs, roof repairs, and yet they are all impacted in a negative way because of this retroactive legislation.

Mr Mammoliti: I am a little concerned. We talk about pipes and leaky taps and minor repairs. Let's talk about that for a minute. What has happened in the past? I know in my riding anyway—I am speaking on behalf of the people in Yorkview—they have had a problem in response to landlords fixing the minor repairs. So the question that I have to ask is, what have they been doing with their money? I would assume that they have been putting it into the bank. If they have not, then what have they been doing with their money?

I have gone to tenants' association meetings where the complaints have been consistent: No repairs are being done, nothing has been happening. This excuse about work having to get done and the money not being there, I cannot see it; and until somebody shows me that it has been happening and that the money is not there and proves it to me, then I cannot say, "Yes, landlord, you're right." Until such time, I will be saying that the tenants are right and that the tenants deserve a little more representation from their landlords, a little more compassion. This argument does not wash with me.

Ms Harrington: I want to respond briefly to a couple of the questions that have been asked of me. The first one was by the member for Willowdale with regard to what is included in rents. I would like to point out to him that with regard to hospitals, with regard to schools, these facilities, the actual land, the actual buildings, in the long term belong to the public. Therefore, we have that as collateral. Therefore, money is spent on it. But when we are talking about private landlords, we do not own that land, we do not own those buildings. Why should we be putting through, giving them money all the time for upgrades? It is the same as home ownership. That property is not owned by the public. It is a different situation altogether.

With regard to the question from the member for Markham about whether or not we received calls about the layoffs, I was outside last Tuesday morning around 10 o'clock and walked through that crowd to come to the caucus meeting so I know there were a lot of people there. Certainly I have heard that there are layoffs. We are very concerned about that, obviously. They are our neighbours. They are our constituents. We do have to recognize that the economy is in a state of job layoffs.

An hon member: What are you going to do about it?

Mr Harnick: Change the law.

Ms Harrington: I will make two points. Hopefully, as the member was mentioning, this part of the economy should be the part that is taking up the slack when people are laid off from factories, and I hope that soon we will be able to do that. The second point I want to make is that this legislation is temporary and that as soon as we possibly can—and we are looking at a date in February—we will

bring forward the working paper that we will be taking forward to consult with for long-term legislation.

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Mr Curling: I have been looking forward to debating this bill for a very long time, ever since it was introduced. I should say, first of all, that I have a tremendous respect for anyone who becomes Minister of Housing, and I speak from experience. In 1985 the Liberal government faced the decision of looking at the housing situation in Ontario, and having been initiated in the most active way possible I can understand what the honourable minister is going through at the moment.

When we took over the government in 1985, what we did first before we came into this House was to develop a policy paper about our housing shortage. One of the main things we did was to find out who the clients were and who the players were in this industry. It was very easy to determine that. We know they are landlords, we know they are tenants, we know they are investors and we know there is the government. First, we must understand the players in this policy before we can put the policy out.

If there is one issue by the New Democratic Party that I associate its being so close and so passionately involved with, it is the issue of housing. Always, when I was in government, I thought they understood the issue, I thought they had researched the issue and I thought that if they ever should form the government one day, they would bring forward this housing policy. But they did not believe they would form the government, and I am not all that arrogant to believe that way. I believe in this democratic process and the people who choose, so I am not surprised that they did form the government.

Again, when they started speaking about the problems of tenants, I was not at all surprised, because they have been speaking about tenants and that they did not get their fair share for a long time, so I was not surprised about that. My shock came when they came about and introduced this so-called Bill 4. Bill 4 is a tragic disappointment. It is confrontational, it is adversarial and it is extremely regressive. I am sure, just speaking shortly on the regressive part of it, that we have one of the best civil service structures anywhere in the world. They are bright and they are hard-working and I am sure that the Ministry of the Attorney General had informed the minister that to have a retroactive bill is not the way to go.

But because they had no policy, no housing policy whatsoever, they went ahead and brought in Bill 4, and they have the audacity to almost want to call Bill 4 a housing policy and then to have long debates about the housing situation in this province, where it is going and who it is affecting. As members know, if they look at Bill 4 very closely, it is a bill that is trying to amend Bill 51, which was brought in in 1986. On election day on 6 September, I am sure the members opposite had housing in mind. They brought forward the first reading of this bill on 28 November.

Just to give members an idea, when Bill 51 was introduced, it was in May and we brought forward in June 1986 a very comprehensive rent review bill. The first remark I

heard on Bill 4—when I realized it was so controversial—was a play on words: we would not have a rent review policy, we will have a rent control policy. This bill is about tenants.

Bill 51 tried to have, as we said in 1985, a balance, a delicate balance recognizing all players, especially the tenants and the landlords, to make sure that the people who rent their property get fair value for the property or the accommodation they have and are not gouged by rent and abused by landlords, many of whom were doing that almost religiously. We brought forward such a bill, Madam Speaker, and I am sure you recall it and followed it very closely. I remember being asked at that time what I was going to do about bringing about a good market of affordable rental property in this province. I told the press and told the opposition of that time, who were extremely aggressive, that I did not have the answer. The answer lies with the landlords and the tenants, bringing them together and making a bill that is fair to both landlords and tenants; and we did so.

The members of the government were the opposition then, sitting on those committees as we went around the province debating these issues. The bill was drafted, saying that we would bring in that delicate balance, recognizing that landlords and tenants should be treated fairly. I want to remind the honourable member for Niagara Falls that it is the private sector that builds most of the rental properties in this province, and we, as a government, go about building non-profits or co-ops or assisting in the mortgage process and getting non-profits going. We then, as the Liberal government, built a considerable amount of non-profits and co-ops in the time that we were the government.

I was extremely impressed because I did also have the great confidence of the people of Ontario that Bill 51 would be fair, and I say that because I raise Bill 51 and compare it with Bill 4 and the process in which it is done. But when the landlords and tenants sat down to bring about this bill, and when it was about to be signed and they all agreed upon it, both sides said it was not a perfect bill but it was the best that could come about. Every single landlord signed it and every single tenant signed it, except one, after being pressured—and I know that; if anybody wants to challenge me on that, I am prepared—by the then New Democratic Party not to sign it. As a matter of fact, I keep this here, precious, with me because it is my own copy, because Dan McIntyre, who did not sign it, signed mine. Surprising enough, hypocrisy sometimes can follow, because he then followed us through the hearing, was extremely impressed, but felt after being pressured a bit somehow that he could not sign.

I raise that point because it is extremely important that when we bring about a bill and we talk about consultation, let us be real about it; let us not play games and let us not say this is a tenant bill. This should not be a tenant bill and it should not be a landlord bill. It is a bill for landlords and tenants to work with. Bringing back the confrontational and adversarial aspects of it is the wrong way to go. I feel that the minister must start looking at this bill and at its process. I think it is time that he shed the clichés about

consultation when he does not really mean it in any form. But I would say to him that he still has hope. I think he should have a housing policy first and then he can talk about having a rent control or a rent review process.

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I do not think the New Democratic Party has a housing policy, and if it did, I think it is not doing justice to this economy, to the people, to the tenants, to the landlords or to us a province by coming forward with a bill like Bill 4.

In respect to the moratorium, when the minister talks about wanting a two-year freeze, it tells me very much. In fact, I am glad that the member for Niagara Falls pointed out that it is the first time she has heard that a housing policy would be available in February of next year. I hope, for the good of this province, that he does have in two months a housing policy to tell us where he is going in regard to developing a better strategy, because without it we are going to get into playing the manipulative games, as we are accused as politicians of playing on the minds of people. People are seeing through all this.

My colleague the critic for Housing has said that the approach of the Minister of Housing is becoming the minister of slums. I think what she meant by that is that she is giving a word of warning that the way we are going, and having this confrontational aspect of it, will drive this rental housing maintenance industry into a dive so that the landlords themselves will stop maintaining their buildings because of cost. I will get into that a little later.

I want to talk about this crisis that they see before us in the rental market, the tenants who are being gouged. Yes, there is strong evidence that some landlords are gouging tenants trying to get exorbitant increases in rents and people really cannot afford them. But let us look at the facts after the rent review process came in. The member for Niagara Falls did not use the statistics but I will remind her what the statistics are: 83% of landlords do not go at all to rent review, they take whatever the guideline is for that time; 17% of them go through the rent review process; only 5% of them get above 20%.

We are talking about gougers, so there is a crisis in hand here. We would bring in a lawyer to control that 5% right away. Immediately we say that the bill is the one that was introduced in 1986, that it was introduced there, that it is not working, it is confusing and all those remarks, but that 83% do not go through the rent review process and that 5% get over 20%.

If we are going to be fair to all—as a government, we should be—we should make sure that laws are not introduced for the minority who are violating the rules but they affect everyone. I presume when the government is in the game, the government is in the business of building housing—I presume that maybe we are looking down the road—it will build more and take the private sector out of it.

We believe strongly there is no fuzziness about how the Liberal Party stands in all this. We have a completely clear definition of how we stand unlike the Conservatives, who feel the private sector alone should be in this business. Of course, the socialist government over there would not say that, but it would like to build them all. We of

course see that it is necessary for government and also the private sector to be involved in building, and that we do that fairly. We do not bring in legislation that is only for tenants in this specific instance. Let us be fair. I give a warning to the government of the day: Let it be fair to all; let it make sure that landlords play a role in this bill and, of course, the tenants.

Remarks were passed earlier on about the fact that it does not at all affect the building industry. We know that in any economy, when the building industry is taking a beating, it affects a tremendous amount of people—jobs—and there is a chain effect that happens, a ripple effect. If you are not building homes, you will not even sell drapes, you will not sell carpets, you do not sell fridges and on and on. It is one industry that really drives an economy.

We all know that at the present time we are in a recession. Of course, I freely agree with the minister that this bill itself is not going to make the building industry fold. That is not true. But I can tell him, it will have a tremendous impact on many of those who are in the renovation business and who were depending on this, because of the uncertainty of this bill, because of the two-year moratorium, because of the regressive nature and retroactivity of this bill, because the landlord who is investing in his building and wants to do some repairs cannot go to the bank and tell the banker, "Well, the process of recovering my money depends on the policy of the government, which hasn't yet thought about it, and which, I am hearing today, may be coming up for debate in February 1991."

I am telling you, Madam Speaker, it will not work. Try that at the bank some time. If you want a loan, they ask you how you are going to pay it back. If you say there is a husband or a wife working or some other income coming in or there is some business transaction that you anticipate but you are not sure about the policy yet, the bank will tell you: "As soon as you are clear about this, come back, because we want to guarantee that we are getting our money back. You must demonstrate to us how you will do that."

The uncertainty makes for a very, very poor approach to the bank. This is not good. I think we have to do better than that as a government. It is not in opposition any more. It must take responsibility. It cannot just say things and decide it cannot back them up without some structure. It did not set up a structure at all. It has a massive bureaucracy behind it, an intelligent bureaucracy that can come up with alternatives—and it will. It assisted us to do so very much in 1986. It assisted us in our assured housing policy. If the government does not have any policy, it can do that.

Furthermore, in a democratic province like this there is the opposition, which will give other views of it. The government does not necessarily have to take them all, but in the meantime it must have something coming forward. It must not tell us that a moratorium is under way and therefore we should just wait and see when the government's policy comes out.

The minister is on record as saying, "I believe very strongly that there has to be a housing strategy in this province." Where is this housing strategy? Is this the

strategy? It will not work, because it will put things in more chaos, and then we would be worse off and have to be settling fights between landlords and tenants.

1940

Earlier on, in his comments to the member for Niagara Falls, the honourable member stated that all these funds that the landlords are getting because they are not doing—the member for Yorkview had said that the landlords who are supposed to be doing repairs on their buildings are pocketing that money and it is not going into the rental units, so where is that money going?

I would like to remind the honourable members that there is a standards board that was established, and immediately they would jump in their seats and tell members it is not working. I fully agree it is not working and I can tell members why it is not working; there are not enough funds and it is not being policed properly, because the municipalities have asked for money and of course when we were the government they did ask for money so they could maintain and police the repairs in those buildings.

I think the government has a structure in place. It should not start to reinvent the wheel with the thought that they will honour the government four years afterwards because it has a new policy. It should use the things that are there. The standards board can work; it needs funding and it can work. Just to say that these people are pocketing their money is a poor, flimsy excuse in order to proceed on the path that they are going, blindfolded with rhetoric. The problem is that the New Democrats are full of more rhetoric and it has caught up with them now. I am telling them we are here to help, and I hope they will take the advice.

They could start by reading Bill 51. They could start understanding what the housing situation is all about. There is nothing wrong. Go back to Gerry Caplan's manual; he told the government to say: "I do not know. I will go back and be briefed and when I have the answer I will come back." That is okay. They have a mandate of five years maximum, or four years if they feel rather adventurous, before it is the time to come back to the people. They have within that time to come forward with a bill, not only a bill but a proper housing policy there.

The disappointment lies in the fact that it is not thought out. We in opposition here will not allow the NDP government to come and dazzle us with words and then to feel that is sufficient for us. Later on, my colleagues will be addressing other issues in non-profit housing, but I will just say one thing: The non-profit and co-ops are working very effectively in some respects.

I would say too that while the vacancy rate in the private rental stock is very small, many of those people who are in non-profit housing—sometimes we do not want to say this—who are getting very high incomes can go out and go into the private rental stock. Of course there are many who use that area in order to give their friends accommodation, and I will tell members how. The minister is not in the House now, but I hope members remind him that he could try this strategy: get one main waiting list from the non-profits, so he would know the priorities of all

those who would need to come into the non-profit housing and say: "You need it badly. We'll put you there."

What is happening is that every non-profit and co-op has its own waiting list. If someone comes to a constituency office and we have to tell them to put their name on 15 or 20 waiting lists. That is not the way to go. If we want to have a housing policy—

Mr Charlton: We have already done that.

Mr Curling: They have not done anything. They have not done one single thing in housing. They have talked about it for years and years and now they have the audacity to say they have done something; they have already done it. They have not done anything. What the government has done is brought an amendment to Bill 4 and called it its housing policy.

I am surprised that the honourable member for Hamilton Mountain says they have already done that. I think he speaks for himself and not for the government, which quite a few of them are doing at times—speaking for themselves and not collectively.

Mr Grandmaitre: Or talking to himself.

Mr Curling: Also, as my colleague said, talking to themselves.

Many papers have been written on rent review and rent control. The rent review process we went through in detail in 1951 took all the complex parts, the cost and put it all together.

I remember at one stage we talked about affordability. I just want to address affordability for the time being and who should be affordable. On the aspect of the affordability for a tenant, we should also question, does the affordability lie in the fact that it is the landlord who is to determine that? When one cannot afford rental accommodation, I think there are many, many factors that cause this; not the landlord. But of course I and we on this side believe very strongly in rent review.

In summary, I feel it is time that the NDP government brought out a very clear housing policy to tell us in what direction it wants to go. It is time they shed that confrontational approach and to make sure they have something that is fair to landlords and tenants.

Many buildings around this province are in terrible condition and, as I said, that can be addressed by funding and making sure that the residential standards board is effective. It is the wrong time to be this draconian in its approach because of the recession we are in. Whenever we have a housing policy, we must be sensitive to the economic atmosphere or environment at the time. It is a different strategy we have to put in place today than what we put in place in 1985.

The 1,000 people who lined up and marched outside the Legislative Building about two weeks ago are concerned. They are people who have lost their jobs. They are people who themselves are wondering where they are to go next. If the government does not believe those people, I urge the members opposite to drive around the construction sites where the cranes have stopped and make sure they ask questions there to find out what has happened. It is the uncertainty.

If the government is bringing a bill forward, it should make sure it is fair, make sure it comprises both the landlords and tenants, make sure it is not as draconian, I would say, as it is and make sure this retroactivity is addressed properly.

1950

Mr Jackson: I am fascinated by the former Minister of Housing's comments in the House tonight. I want to clear up one of the misconceptions he shared with us, that the private sector builds more than the public sector in the rental industry. That just is not true. Since 1987 we have had to rely on the public sector to build more rental units. In fact, the housing crisis in this province is very much an indictment of the failure of the public sector to provide the housing, not of the private sector market.

I listened with astonishment when the former minister referred to Bill 51 as good legislation. He knows I was a member of that committee. He knows I travelled around the province. He knows I listened to every debate. He knows I voted against his legislation. The whole process was so complex that the public was doomed to ever understand what was involved with the residential complex cost index, the building operating cost index and all these other things.

We had a rent control system that cost \$7.9 million in 1985. The minister and his staff faithfully promised it was not going to exceed \$12 million, \$13 million, \$14 million. They started to turn the money off at \$40 million to \$50 million. That is what rent control is doing in this province. It is a bureaucracy gone out of control.

The rent registry has never worked. The computers do not work, as we are standing here in the Legislature. Several sections of his bill were either not proclaimed or proclaimed three and a half years late. I brought to this House thousands of 9-R forms that were shredded because no tenant in Ontario could understand them. That flowed from the fundamental right of tenants to go to rent review to determine what their legal chargeable rent was.

There is a whole series of problems with this legislation, and yet the former minister stands up and tries to suggest to us that it was good legislation. It was bad legislation three and a half years ago and it is still bad legislation. I will be pleased to talk to the NDP about how to fix it when my time comes.

Mr Charlton: Let me start out by saying that I do not wish to doubt the sincerity of the member for Scarborough North. On the other hand, his comments tonight reflect precisely why we are in the mess we are in around rent review.

He described for us how the Liberals rushed into Bill 51, and ever since we passed that piece of legislation we have been in a disastrous situation in this province—not only a disastrous situation that has gone on for four years but a disastrous situation which, if it is not fixed, will force more and more of Ontario's residents on to the streets and into totally inadequate housing.

The member stood here this evening, and unfortunately his comments reflect that the Liberals do not even understand what balancing landlord-tenant legislation is all

about. When you have two parties, one with significantly more natural power than the other, you do not balance their legal rights equally or you have given the advantage to the landlord. If you want to create balance in the rental sector, you have to give the weaker of the two parties in the relationship the strength to be equal to that with whom he or she is dealing.

The member suggested, for example, that his rent review system sees only 83% of landlords not going beyond the basic guideline, only 17% going over the guideline and only 5% taking excessive increases. The former minister knows full well it is not the case, that maybe 17% in any given year go above the guideline but eventually everybody goes above. The reality is it puts the lie to the position that the minister takes that this bill will hurt anyone.

Ms Poole: I would like to commend the member for Scarborough North for his very eloquent speech. I think he said it well when he talked about how this bill will increase the confrontational or adversarial stand between landlord and tenant. It is indeed a very delicate balance. There are those in this House who believed the delicate balance had swayed to one side in Bill 51 and that amendments needed to be made. I happen to be one of those who agree with that. However, I do not agree with the way Bill 4 goes about it. In fact, what it has done is it has swung the pendulum violently the other way. I think it is going to show in future what effects this will have.

We appreciate the intent that the government expressed when it introduced this bill, that it was to limit the outrageous rent increases and to say tenants should not have to shoulder the burden of luxury renovations. But while we appreciate the intent and support the principle, we cannot agree with how they went about it.

I have made suggestions for this interim legislation which would have accomplished the same thing of limiting the outrageous increases which were relatively few in number and it would have made sure that the luxury renovations were not supported by tenants. One thing would have been to allow only necessary repairs. The other thing we could have done was to bring in a cap. The third thing we could have done was to bring in provisions that would discourage landlords from deliberate ongoing neglect.

I made very specific proposals. I hope the government will take a look at them, because we do need a replacement for this badly flawed legislation.

The Acting Speaker (Ms Haslam): The member for Kitchener.

Mr Ferguson: There are two questions here, whether to consult—

The Acting Speaker: I am sorry, the member for Markham is next.

Mr Cousens: When I have heard the member for Scarborough North saying something a few years ago when he was sitting over there and then coming over to this side and speaking with such conviction, it really makes me wonder whether I am sitting in the right place.

Mr Tilson: You are not. You should be over there.

Mr Cousens: I want to sit over there, but—

Mr Tilson: Not with those guys.

Mr Cousens: Not with those guys. I want to have better company than the Minister of Housing. I am surprised the Minister of Housing is not even here tonight.

Who was the member talking to? The member for Scarborough North is just talking to himself, and he did that for about two or three years when he was minister of the same ministry. I have to tell members, the people of Ontario have not forgotten the mess that the Liberals made of the housing and rental industry in the province. The member stands up here and sounds like an eloquent person. He is not, not when he goes back to the kind of behaviour he has conducted himself on when he was a minister of the same ministry.

I think the people of Ontario are not thrilled with the backlog, and I just want to commend the member for Burlington South for his way of bringing out that it was terrible. Now the member for Scarborough North comes up and sounds like a pontificate who is going after the NDP. I have to tell him, they are just as bad as him or maybe worse, but to have the member calling the kettle black is really something I find appalling.

I think the member and all of us have to sit back and understand that there is a real issue at stake here. It has to do with the tenants in the province of Ontario. I think we have to get on with that and deal with the real issue.

The First Deputy Chair: I am sorry, there is only 20 seconds left for questions or comments. There is not time enough for another speaker. There have been four already. Therefore, is there any further debate on this issue?

Mr Curling: Let me respond, Madam Chair.

The First Deputy Chair: I am sorry, the member for Markham must have just excited me and I have forgotten my place.

Mr Curling: I am surprised that he excites you, Madam Chairman.

The First Deputy Chair: So am I.

Mr Curling: I would just suggest to the honourable member for Hamilton Mountain that he go back and read Hansard to see what I said. His comments are completely off-base. He does not know what he is talking about.

I want to tell the honourable member for Markham that black is beautiful. Bill 51 has been attacked by the honourable member for Markham; it seems they were asleep then, when it was going through, and they are asleep now, because there were public hearings all over the province, not this consultation, a select group of people, like what the NDP would do.

If the honourable member was saying he did not know when I was going around and I did not say anything at that time, where was he then? This went around the province and I as the minister went to every single hearing of the committee, even in Ottawa, when the NDP decided to bring out all the tenants and they applauded the way we were doing it. So I would say to the honourable member for Markham, no matter what side of the floor he sits on, he will still be sleeping.

As a matter of fact, the member for the NDP should wake up, get a policy in place and let us have some good debates and stop bringing in Bill 4 and thinking that is a housing policy.

2000

Mr Turnbull: I welcome the opportunity to stand in this House today and address this important bill. I would like to say first of all that this bill is consistent with the Agenda for People. We have been heard many times to say that they are being inconsistent; this bill is consistent.

Last Wednesday evening, when we were debating this bill, I must say that I listened with a growing sense of frustration with the NDP's lack of understanding of the points made by this side of the House. Perhaps the government also feels the same feeling of frustration, in fairness to it. Maybe they feel we do not understand their point.

The government has tried consistently to paint the Conservative Party as caring only for landlords and business. This just simply is not true. As a newly elected official determined to truly represent all of the people in my riding, I want to work with the Minister of Housing to develop policy that will provide our tenants with safe housing.

I recognize the depth of feeling of tenants' groups towards this legislation and I have sat with some of my tenants to discuss their concerns. In fact, the president of one very large tenants' group spent all of last weekend, actually the previous weekend, putting together a position paper which has been very helpful to me. I will be bringing forward these very thoughtful ideas when we are considering this in committee. I want, however, to make certain points in my time here today.

First of all, the present system does not work correctly. That is clear. Second, the problems of affordability and availability are not dealt with in this legislation. Third, the problem of repairs are real and must be addressed if we truly care about tenants. Fourth, there is a role for the private sector in the rental industry. Fifth, the NDP appears not to appreciate that retroactive legislation is detrimental to the economic health of Ontario.

The right to decent and affordable housing should be and must be available to all residents in this province. While the NDP likes to portray itself as the defender of tenants, the reality is that the Progressive Conservative Party has always cared for the wellbeing of tenants. In fact, it was our party that brought rent controls in in the first place. But we clearly differ from the government as to the manner in which these tenants' rights are achieved. Common sense, not ideology is needed here. Unless home ownership becomes miraculously affordable and available, there must be a good supply of rental accommodation, and that means rental accommodation that is affordable, clean, safe and well maintained.

I want to repeat the remarks made in this House on 2 May 1990 by the then Minister of Housing, Mr Sweeney: "First of all, let us remember where the existing legislation came from. Let us remember—and give credit where it is due—that a change and a rewriting and a redrafting of the then existing rent review legislation was part of the accord

between the New Democratic Party and the Liberals back in 1985 and 1986." So we know that this terrible legislation that everybody, apartment owners and apartment renters, are complaining about was a product of the NDP.

The 1986 legislation was a compromise between landlords and tenants with the intention of protecting the tenant from unfair rent hikes and unscrupulous landlords, and of giving the landlord a fair return on his investment in rental housing. It has been a failure on all counts.

I agree with the honourable Minister of Housing when he spoke at great length in this House on 11 December describing the faults of the present legislation. I disagree when he says that the present legislation offers tenants no protection. Perhaps a fairer description would be that it offers inadequate protection. It certainly is costly and I ask if we will see the \$41 million spent annually on the present rent review process returned to general revenue or allocated to help alleviate the supply problem.

Bill 4, designated to buy this government time while it develops its own rent control legislation, will create more problems than it will solve. To replace the inequities in the present law with new inequities is neither fair nor responsible, and to cause increased hardships to tenants, the very people the NDP claims to be protecting, makes it ridiculous.

Tenants need a fair rent increase, but they also need safe and well-maintained buildings in good supply. It is a fact that only 20% of rental units have gone before rent review, and of this 20% only 5.7% have had large increases. So what we have is the Legislature tied up for days, an entire government department in a stalemate and our rental industry thrown into chaos in order to deal with abuses by a few landlords against a small percentage of the units.

I agree with the honourable minister when he says that these people need help, but this is the way to cause massive unemployment in supply and contracting industries, panic among potential investors and hardship for all tenants who want to live in safe, well-maintained buildings. I think that there are other ways, fair ways to resolve this problem.

The two vital problems of rental accommodation are affordability and availability. Bill 4 will only marginally affect affordability, while drastically reducing potential availability. Taking a position on the single issue of rent increases will not solve the current problem. What is needed is an overall housing strategy.

In a 19 April 1990 NDP press release, the Premier used the following statistics to illustrate the need for affordable housing: 200,000 households are caught in the cycle of homelessness. There are 41,000 households representing 71,000 people are on waiting lists for financially assisted housing. Apartment vacancy rates for Ontario are 0.8% or eight apartments per 1,000. One third of Ontario's tenant households, which is approximately 380,000, pays over 30% of their income on rent. These problems of homelessness, poverty and supply are the real cause of the housing problem in Ontario. These figures prove a desperate and crying need for both affordable and available rental accommodation.

But what is the government's response? It is to restrict all rents, including luxury accommodation, to the rise in inflation. It is very curious that with the luxury condos which are freely available on the market and have not been covered by rent review, the rents are actually falling in a free market system. Why is the government rushing to pass a bill that will radically change the rental industry of Ontario? I would ask the Minister of Housing to explain why his energy and that of his department have been spent protecting the 73.4% of the tenant population able to pay market rents. These tenants have less than 30% of the gross household income in rent.

The rent moratorium will prevent substantial rental increases to both luxury and low-income units, but fails to address any of the real housing needs in this province. The poor families of this province will still be without warm beds this winter. In fact, the minister's failure to address the problem of availability in the face of a vacancy rate that is now at 1% means that tenants are kept hostage to their present buildings.

The Minister of Housing may say that the availability will be dealt with later. It is to be the second part of his housing plan. The minister should tell that to the homeless or those paying more than 70% of their income for rent.

2010

I say to the minister that this is a far more complex issue than he would have us believe. Restricting rents to the rate of inflation will please some tenants' groups. Some tenants may accept living in run-down apartments in buildings clearly needing necessary repairs just so they can continue to pay low rents, but other tenants understandably want to have upgraded premises and to live in buildings where necessary repairs are done. Some tenants worry about the safety of their buildings when repairs are neglected. No one disagrees with the minister when he talks of tenants needing protection from exorbitant and unnecessary renovations, but the truth is that 80% of Ontario's tenants have never been before rent review. The minister's misguided legislation will see those apartment owners reluctant to plan major repairs, knowing that they will not recover any losses they may have.

Renovation costs are real. Eighty per cent of the rental units in Ontario are 20 or more years old and in need of major repairs. My honourable colleague the member for Dufferin-Peel spent a considerable length of time explaining the cost benefits of the maintenance of older buildings versus the replacement costs. The building operating cost index suggests that 15.6% be set aside for building maintenance, but many major capital expenditures cost 100% or more of the yearly rent.

Let's just check some figures. Take a 20-unit apartment building taking rents for each unit of \$500 per month; 15.6% gives the owner just slightly more than \$7,000 a year to pay for all renovations and repairs. Eventually old buildings need major capital expenses.

This hypothetical case gets a leak in the roof. A new roof costs \$15,000. What is this government's advice to the owner? Let the tenants get wet? Oops, wrong choice. That is not an option because of the Residential Rental Standards Board. Go to the bank and mortgage the building?

Oops, wrong again. That is not an option because the banks stopped giving loans for apartment repairs when the government made it impossible for the landlord to recover his expenses. The minister should tell me, what shall our owner do? Walk away and turn over his assets to the government? We have already heard a lot who are prepared to do this. Is that the only option this government has for all of the small apartment owners in this province?

What the government is doing with this legislation is driving the private sector out of the rental market. Is it the government's agenda to become the sole developer of rental accommodation in the province? Can we afford that direction?

Last week in the House, my leader and I pointed out to the honourable minister that government built and government subsidized units were costing the taxpayers of this province more money, in some examples more than twice the money, compared to units constructed by the private sector. Is this responsible government?

Is there a hidden plan to nationalize the rental industry in this province? If so, let the government then announce that platform, compensate apartment owners and explain the costs to the taxpayers. Governments cannot and should not bear the burden of developing housing that meets the needs of all of our population. Governments should be prepared to assist lower-income Ontarians who are unable to pay for decent, affordable accommodation. In fact, during the last election our party ran on a very clear platform that we believed in shelter allowances for those people in need of help.

Government should not be assuming a role in which it is not qualified to act and clearly, listening to some of the comments I have heard from the NDP, it obviously does not understand the economics of the development industry.

Michael Melling, former chairman of the Federation of Metro Tenants' Associations, in an interview on CBL-AM stated, "I know and I believe that the vast majority of tenants and landlords in this province get along most of the time and the vast majority of landlords are not in any way attempting to take advantage of their tenants or treating them badly."

We all know and accept the fact that there are some landlords who have used rental legislation in a very negative way that people are paying for, but legislation should not just be to blanket those problems. We should address those in a more sensitive way, and there are ways of creating legislation that can do that.

It is the reality today in Ontario, direct from the mouth of one of the province's chief representatives for tenants. That reality does not fit in with the good guys, bad guys ideology of the honourable Minister of Housing, but it is a reality despite him.

While the intentions of this government may have been good, the consequences will be chaos. This intrusive legislation will drive investors even farther from the rental market. The supply of new units will decline and the shortage of good, affordable units will increase.

The Minister of Housing has removed the right of choice for tenants, the right to live in a properly maintained building even if it means an increase in rent to pay

for the improvements. There is a price for safety. That is also a reality the minister may not like, but pretending it will not happen will not ease the situation.

If this government has as its true intention to protect tenants from high rents, will it not now commit to stop the imposition of market value reassessment on Metropolitan Toronto? This unfair tax system hurts tenants and will lead to an allowable increase in rents. Let me tell members how this works with rental housing. The buildings, including the buildings that have had the so-called marble entrances put in, are the ones that have already been through rent review, and yes, there are some buildings where they have gone back and back and back, and the rent has gone up. The government is not going to stop them. They have already got their rents at a very high level.

Under market value reassessment, I will tell members how it works. The assessed value of the building is based on the market value of the building. In an investment property the assessment is based on the income floor of the building. So those buildings which have already had the high rental increases will in fact get the highest assessment. The buildings which are in terrible repair and need work will get a very low assessment because they have low incomes because they have not been through the whole rent review process.

So the people who have gone through the indignity of having their rents increase over and over again—and yes, there are examples of bad landlords who have really used the system—are going to be hit again by market value reassessment, and they are going to have much, much higher taxes. It has been estimated that property taxes, if unchecked, will account for approximately five months' rent by 1995.

If this government is interested in truly addressing affordability, then it should address that as an urgent matter. I have asked in this House whether members are prepared to stick with the election promise and I have not got a suitable response from their party. I am saying we believe in affordability, but you have to have affordability of buildings that are properly maintained.

This government's legislation absolutely ignores the fact that some buildings have been through rent review over and over again and will get higher taxes, and the people who have not had repairs done will get modest taxes.

2020

I am going to this whole question of retroactive legislation, and frankly I am surprised when we looked at retroactive legislation. It would have been very easy to have announced legislation in this House which said, "As of this day, we will not allow any further renovations until we have passed permanent legislation," and the effect of that would have clicked in in three months. Any rental applications with respect to renovations would have been honoured up to that point. Many landlords have gone ahead with renovations which were legal under the existing laws and in all good faith they went through with renovations, went to the bank.

I have a landlord who has a 35-unit apartment building. He and two other partners bought it. It is their sole property

investment other than their own homes. They have gone forward with a renovation, which was needed, of \$140,000. They have owned the building for three years. It is their intention to keep the building. They went to the bank and the bank said, "No, you haven't enough collateral in the building." They have secured the loan against their own houses and now they are being told that all of those expenditures, of the \$140,000 that they were investing, they could only cut off at \$135,000. They are going to be hurt by this legislation. I cannot understand this government, which says that it cares about people, making a cutoff date which did not at least acknowledge the people who had legally borrowed money for renovations up to that point.

If the government had said, "Okay, from this point on until we have the permanent legislation, we're going to cool renovations," I think it would have a lot less heat from these benches. It sends out the worst message to the whole of the world, and let us be under no misunderstanding: Ontario and Canada still rely on investments from other countries. When we send out the message that we—and I am saying "we" in the sense of this Legislature—will pass legislation which will retroactively take away rights which were legally given to somebody and under which he had created a financial structure, it sends out the worst message about our province. I have heard over and over again discussions in this House about a made-in-Canada recession. Indeed we are going to have a made-in-Ontario super-recession, because investment will not come to this province.

In summation—and quite frankly I got two thirds of the way through my prepared speech and I just found I have to say these things that I have just said—we have to make sure that we send the right message out to the rest of the world, and the minister has the ability even now to make amendments to his legislation so that it would not be retroactive. It is only a three-month window and he will stop people going into bankruptcy. If he wanted to be very, very selective and find buildings where they have not done the work, fine. I suspect that our benches would say yes, we can go along with that if they haven't done the work and they are putting in applications for renovations to be done. But those people who have spent money so far and have worked within the legislation should not be penalized.

Mr Ruprecht: I have listened to the remarks by the member for York Mills with great interest, and to some degree I would agree with him when he says that surely it is all our positions and that no matter what party we belong to we would agree on one item; namely, that all residents of Ontario deserve to be housed well, with a fair rental policy and paying fair rent. I would think the question then should be, "Well, how do we best set this up?"

The previous government tried this, and I must tell members it took almost two years before a policy was established. There were eight tenants and eight landlords who got together and determined, and I think almost at the end they agreed the best way to do this is through consultation.

I would think that today this government, by this passage of Bill 4, the retroactive legislation, not only is contrary to what had gone on previously, but I suppose it will have to reinvent the wheel. How do you go and establish a policy without consulting with the people? I would agree with that member when he says that yes, sending out the message to all the people of Ontario is not the best idea to cut back and to say to everyone that we will pass the retroactive legislation, the point being that something needs to be done.

There are some good landlords and some bad landlords, but in order to mitigate the problem you do not take a sledgehammer or a bulldozer to cut down a sapling. That is precisely what this government has done. I would agree certainly with the member for Eglinton, who has made the greatest policy recommendations. She has put forward a number of points. She said quite distinctly that we need to look at this legislation again. Consequently, that is the voice that should also take some precedence when we examine this legislation.

Mr Cousens: I would like to compliment the member for York Mills for the outstanding presentation he has made. I think what he is bringing to the table for consideration by all members is the way in which members of our party are genuinely concerned about the needs of the tenants. What he is bringing to the argument is a sense of balance that has not been present in the speeches that I have been listening to.

I would just like to draw him out further on that issue which pertains to tenant protection. I think one of the things that many people have accused Conservatives of, and accused them falsely and wrongly, is that we are not interested in tenant protection. I really believe that implicit to the whole argument that the member for York Mills is presenting is very much the need to protect tenants.

I would not mind if the member could expound further, and if even you, Mr Speaker, could extend his time limit so that he could elaborate upon that important aspect of his presentation.

The Deputy Speaker: The member for Cochrane South.

Mr Elston: Oh, oh.

Mr Bisson: I get accolades from across the House. I am very pleased to see that.

There were a couple of comments that were made in regard to reinventing the wheel. I think it is not a question of reinventing the wheel; it is a question of trying to make it unsquare and make it round so that it is functional. I think basically that is what we are trying to do.

I think one of the important things that we have to keep in mind when we are talking about this is that what this debate is all about is not to talk about rent control legislation; we are talking about putting together a moratorium to allow us the time to be able to consult with landlords, tenants, other interested groups and other members of the House in order to fix some of the inadequacies that we find within the rent control legislation presently.

We all know that there are problems in regard to the whole situation, when it comes to the flipping of properties

and how those increases can be passed on to the tenants. From this side of the House, and I think there are concerns on both sides of the House, there are some inadequacies that have to be answered. To be able to put ourselves in the position to do that, the moratorium had to be put in place in order to allow time for the government, all members of the House and various people who are interested to sit down and talk with those people who are affected in regard to putting together good rent control legislation that reflects the 1990s and reflects the needs of the tenants, and as well some of the needs of the landlords.

We recognize that if this had not been done, if we had just sat back and said the moratorium is not going into place, we would have had a situation where some of the landlords would have jumped the gun somewhat and tried to pass rent increases on to their tenants that would have been more than what would have been allowed under our legislation. We are put in a position, by putting together this moratorium, which allows the government and allows all the members of this House who are concerned on this very important issue to sit down with those people who are affected and not to try to reinvent the wheel when it comes to rent control legislation, because we recognize that there are some good points about the old legislation, but to turn around and put the legislation in such a way that reflects the concerns of both tenants and landlords of this province and moves into the 1990s.

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Mr Turnbull: I would say to the member for Cochrane South that in his comments he completely ignored the thrust of the latter part of my speech. That deals with this aspect of retroactive legislation. I say to the member once again that whether he likes it or not, this sends out a worse message than maybe the extreme landlords who put the ad in the Wall Street Journal. It sends out the worst message about this province as to what this government is prepared to do. Retroactive legislation is something which ignores the fact that people were acting legally within a framework which was set up flowing from the accord.

I know the member would say, "Yes, there were changes made after the accord" and I recognize that. Nevertheless, there was a framework under which landlords were allowed to go to rent review and they would undertake renovations which were needed, and many of those renovations are very costly. If you get into underground parking garages, \$1 million is not a small amount of money. It can easily go just on that renovation alone. They went to the banks and they borrowed it in the absolute legal framework that they were allowed to pass that back.

We are now saying, notwithstanding that they have spent that money, "Tough." There are many people who will go bankrupt, and the government may say: "Ha, ha, no problem if they go bankrupt. They are all fat-cat landlords." There are many people who own one building. This is their life's savings and yes, they have bought it maybe with not a huge amount of cash down, but I say to members they bought it legally with an amount of cash.

Mrs Mathysen: I would like this evening to address the Minister of Housing's act to amend the Residential Rent Regulation Act of 1986 and tell this House why I support these amendments by way of the experiences I have encountered in my riding of Middlesex. I have listened very carefully as many honourable members from the other side of the House stood in defence of the landlords affected by the minister's moratorium. I would like to remind those concerned members that the current rent regulation act has been condemned by landlords as well as tenants as complex, cumbersome and expensive.

The objective of this legislation is to facilitate equity and fairness for all involved parties. I would also like to remind the House that there are many honest, good landlords in Ontario. These landlords who have not used the 1986 Residential Rent Regulation Act to avail themselves of a financial bonanza at the expense of tenants need not fear the minister's amendments. Those who have not behaved fairly with tenants of this province will certainly have cause for concern, and so they should.

In Middlesex, I have been contacted by tenants who have become the victims of the 1986 rent regulations act, victims of landlords who used this act to gouge and intimidate the people who are their tenants. It is time someone stood up and said that these tenants matter, that the victimization will stop. I believe that this moratorium announced by the minister is the first step in that kind of positive action, and I also note that he and this government are committed to making sure that the citizens of Ontario are victimized no more.

The current rent regulations act allows landlords to seek rent increases over and above regular repairs. These landlords can force tenants to pay for not just luxury renovations but all manner of equipment and paraphernalia if the landlord indicates in his rent review application that these expenditures are connected to the rental accommodation.

In this regard, abuses of the most excessive nature abound in Middlesex, as I am sure they abound in other areas of Ontario. There is an apartment complex in the eastern part of my riding where the landlord has undertaken elaborate renovations to the lobby and stairwells of his building. The cost of new carpet, paint and lighting fixtures has most assuredly been passed along to the tenants, many of whom are seniors, single parents, disabled people and minimum-wage earners. The increases commonly experienced by these people are in the 30% to 40% range. In the meantime, their apartments are in a disgraceful state of repair because the landlord has not bothered to repair the roof. The damage caused to units make many of them unliveable. Plaster and insulation is missing in some units, and the exterior bricks are plainly visible. Windows in other units deteriorated to the point that even modest rainfall leaves the apartment flooded.

Some of these tenants, many of whom are long-time residents, have become so frustrated that they were and are paying for their own repairs. The landlord's investment is not only secure, but these people are upgrading this building at their expense. Where is the justice in that? I say that the opposition members who rise to cry out for these poor

landlords who the opposition insists will not be able to finance proper maintenance should recall this situation and cry out for the tenants.

There may be some inside this House who might respond to the situation I have described with the suggestion that these people simply move. For many, the cost of first and last month's rent, in addition to moving expenses, is simply impossible to finance. These people are elderly, poor and alone. Some are even frightened at the prospect of leaving a home that they have had for a number of years. Their needs, their situations must be considered by this government.

There are others in Middlesex who have been victims of nothing less than psychological terror from a landlord determined to maximize his profits no matter what. This landlord has not broken the letter of the law or the regulations of the 1986 rental act. What he has done is behave in what can only be described as an immoral and despicable manner. He has, quite legally, purchased excessive equipment—snowplows, tractors, trucks, cars, mowers, graders and a satellite dish—representing hundreds of thousands of dollars in capital expenditures, all financed by senior citizens. Their rents have increased by as much as 100%. When these seniors protest, he produces an eviction notice, complete with creative accusations. This landlord watches with whom these people visit. He monitors their tenants' association and he harasses them wherever and whenever he can.

All of these actions are technically within the law, technically all right with respect to the 1986 regulations because he claims he behaves within the obligations of a watchful landlord protecting his property and his tenants. Yet these actions are in truth unconscionable to any fair-minded person.

These are the people of my riding. These are some of the tenants of Middlesex. They are not unique. People in this kind of situation live in Essex, Kent, Chatham, Metropolitan Toronto, Sudbury and Ottawa—all over Ontario. The time is long past for protection for these tenants, for real rent control.

Let us all save our outrage for the injustices committed against these tenants rather than for those poor, poor landlords alluded to by some of the honourable members opposite, landlords who are so economically oppressed that they can only afford to buy a \$4-million apartment building or a 41-unit apartment building or only three buildings at a time.

Let's also allow our priorities to take these tenants into account. It is time.

Mr Cordiano: I listened very attentively to the member. She made a couple of remarks, one dealing with the current rent review process. She claimed that the current rent review process was condemned by both landlords and tenants. That may be true in some instances, but I must remind the member that the current rent review process was a consensus between landlords and tenants going back originally to Bill 51, which passed in this Legislature, which basically tried to do something that was not done before, that is, to get that kind of agreement between both stakeholders, landlords and tenants. To the extent that this

was done by bringing forward a piece of legislation that recognized certain aspects of that conflict between landlords and tenants, we did get a better consensus between landlords and tenants and that ultimately resulted in a bill. I would remind the member that the current legislation evolved from the process that we set in place.

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With respect to equity and fairness for all parties, I would say that this piece of legislation which the government brought in does not exactly do that.

Very quickly, I would also like to say with respect to this piece of legislation that the minister should have made amendments that distinguish between luxury repairs and renovations and necessary repairs and renovations. I think the legislation we are dealing with today does not do that and effectively treats all renovations and repairs as things that should be ongoing and does not distinguish between luxury and necessary repairs.

Mrs Caplan: As I rise to participate in this debate this evening on Bill 4, I would like to speak both to my constituents in the riding of Oriole and on their behalf. Some 48% of the constituents in the riding of Oriole are tenants.

I think back to my days as a tenant activist. I was the founding vice-president of our apartment complex's tenants' association. I was a tenant in the early and mid-1970s, a time when people were extremely concerned. In those days we talked about gouging and we talked about unjustifiable rent increases. We knew that the housing market was very, very tight and that there were many situations of landlords taking advantage of tenants.

I remember, as a member of that tenants' association, arguing that something had to be done. Tenants, while they were and are very reasonable people, wanted to ensure there was justification for rent increases. Tenants wanted a well-maintained, decent place to live back in the 1970s, and they still want that today.

As a tenant, I also remember that I wanted the opportunity to have a choice in where I lived, and I was very concerned that the vacancy rate was limiting choices for people who did not have the choice of home ownership. I remember saying that what I wanted was fairness, a reasonable rent, a clean and well-maintained home and to be sure that my neighbours and I could count on a system that was in place that would ensure fairness.

We founded a tenants' association. We were very supportive in 1974 when the rent control system was brought into place, and it was not long after that we started to realize that the very system we thought was there to protect us was creating some problems in and of itself. We saw our buildings begin to deteriorate. We saw that maintenance was not kept up. Things we had taken for granted in the beautification of our courtyards, our walkways and so forth started to deteriorate.

When I decided to seek provincial office and run in the riding of Oriole in 1985, I remember one of the issues in that campaign we discussed often was how we could understand the different points of view and the different interests. On the one hand, the tenants wanted fair and justifiable rent increases, they wanted a clean and well-

maintained building, they wanted to make sure they were not being gouged but that their homes were being maintained. I remember saying, on the other hand, that we understood landlords on the whole wanted to be good landlords and wanted a chance to participate, although we were very sceptical.

In 1985, following the momentous election in May and the change of government, I was part of a process that encouraged nine tenant representatives and nine landlord representatives to come together to see if they could reach an accommodation that would achieve some common goals.

Some of the people in this House might remember that I was a member of the committee that examined then Bill 51 in detail. I took the opportunity to review that record as we were beginning the discussion on this new Bill 4. I remember at that time those of us who served on that committee—and I see some of my colleagues here who participated in that debate—talking at length about the fact that this was a delicate balance of often-competing interests. I remember we all strove for those same goals so that tenants and landlords both would be treated fairly.

We agreed that a rent review system had to be in place to protect tenants. We rejected absolutely the kind of free market environment that we had experienced in the early 1970s and that tenants—and I was one—rejected, saying, “This does not offer us fairness and protection.”

During that discussion and debate in 1985, I was very impressed by the goodwill between those dedicated citizens, representatives of tenants and representatives of landlords, who came forward with a proposal for the government and said, “We think this is fair.”

As we went through that discussion and the clause-by-clause debate, we said time and again, “We are enshrining in legislation that which will be difficult to change, because it will require an amendment to the act.” We talked about how there might need to be fine-tuning of that legislation and that only time would tell if it was working.

I recently noted with interest an article on the editorial page of the *Toronto Star*. It spoke to how that legislation, enacted in 1986, was working and the debate and the discussion that had gone on since then. It put the facts, I thought, very succinctly. I would like to quote some parts of the article.

“Premier Bob Rae exploited the tyranny of words effectively to push all the right buttons when he campaigned for tighter rent controls during last summer's election campaign. A wordsmith without a policy, Rae authored a Marxian drama in which downtrodden tenants were sacrificed by the Liberal government's rent review legislation to a landed class of villains.

“In the rich texture of our emotive language, Rae transformed the Liberal rent review process into a form of economic eviction. This was the debate that we had last summer in this province. From anecdotal evidence, Rae compiled his class warfare statistical base. While Rae defended the oppressed with his gifted tongue, nobody bothered to ask what the precise if sterile numbers actually had to say.”

I want to cite the figures contained in that article; they were sifted from Statistics Canada's "mind-numbing, machine-readable Canadian socioeconomic information management system database," according to the article. It said:

"The former government brought in its rent review system allowing landlords to apply for a pass-through of cost to their tenants in 1986."

That is the piece of legislation I was very active in, both in policy formation—in bringing together landlords and tenants—and as a member of the legislative committee that reviewed the legislation in detail.

"In that year, the consumer price index for Toronto rose by 4.7% and the consumer price index for rent in Toronto increased by 5.0%. The following year the comparable figures were 5.0% and 4.3% and in 1989, the overall consumer price index and the rent component in Toronto increased respectively by 6.3% and 6.2%. As of October 1990, the year-over-year rate of inflation in Toronto stood at 5.3%. The rent index was up 3.6%.

"These numbers, of course, are averages, but they do suggest that there has not been any class warfare. The average landlord has not been exploiting the average tenant over the past five years. Nevertheless, anyone as skilled in metaphors as Mr Rae will tell you that people have been known to drown in a river that is on average only a few inches deep. Some people, no doubt, have drowned in rivers of rent increases. Many of them did not have a lifejacket that a decent income provides."

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Another important part of this article says:

"The Liberal rent review process was an acknowledgement of this basic fact and, on average, it seemed to work. Because it was abused by a few landlords, Rae, enamoured with his own class-warfare election rhetoric, has hammered all landlords over the head for two years while he tries to find yet another system that will inevitably have to allow landlords to cover their costs. In the meantime, landlords will find a way to match what comes in with what goes out. Since their inflow will be rigidly regulated, they will tighten up their outflow by allowing their buildings to run into the ground. Stripping away all of Rae's emotive language, the precision of mathematics suggests that Rae's control equals Toronto's slums."

I point to this article because it appeared in a newspaper which has been very supportive of rent review and, back in the early 1970s, of rent control. We know, however, the tenants want a balance. They want to make sure that their rights are protected, that their rents are justified and that they have a clean and a decent place to live.

This particular piece of legislation, Bill 4, will give tenants security over the next two years. However, does it do what the NDP promised to do during this summer's campaign? I would like for a few minutes to review what actually was said and how we arrived at this place today. I think this is extremely important because I have said this bill will give tenants security and I think what tenants in this province need right now is some security.

On 2 August the Globe and Mail reported:

"Bob Rae promised that an NDP government would insist annual ceilings for rent increases not be exceeded and that adequate maintenance be ensured."

On 18 August, An Agenda for People stated:

"The New Democrats would bring in rent control. That means one increase a year, based on inflation. There would be no extra bonuses to landlords for capital or financing costs. It's simple, it's fair and it avoids the bureaucracy which has frustrated both tenants and small landlords."

Implicit in that promise was the elimination of the rent review process.

On 7 November, after assuming office on 1 October, it was reported in the Toronto Sun that the new minister, the member for Windsor-Riverside, said: "No decision has been made on how the government will deal with Ontario's rent review system."

On 8 November, in a number of papers, there was this quote from the new minister: "I believe you can't ignore capital improvements. We're going to have to come up with a system that recognizes that."

The NDP is in fact retreating from its hard line, the promise that it would limit landlords to one rent increase per year. This statement on 8 November, I would point out, was a significant policy reversal from the position taken by the NDP in the election just a few months before.

As I said, 48% of my constituents are tenants, and tenant issues were debated during the campaign. I remember my opponent from the NDP espousing the policy from An Agenda for People—I call it now An Agenda for Votes—and he was convincing people that if the NDP formed the government, this was exactly what they would do.

The minister said: "My recollection was that we had talked about dealing with a capital fund. That's certainly how I talked about it." Well, I want members to know that is not how we talked about it in the riding of Oriole during the election campaign of this summer. In fact, there is no record of the present minister discussing such a policy during the campaign or in Hansard between 1987 and 1990.

I would say with all due respect that the minister created the environment in which we find ourselves today where tenants are very uncertain about the policy of this new government, what it is going to do and what tenants can expect. Can they expect An Agenda for People? Can they expect elimination of the rent review system and its replacement by stringent rent controls?

The delicate balance we dealt with during 1985-86 and the discussions around Bill 51 gave tenants security. Yes, it was cumbersome. Yes, nobody really liked it very much. Time and time again we heard that the tenants felt it went too far in favour of the landlords, and the landlords felt it went too far in favour of the tenants. The committee came to the conclusion that those nine tenants and those nine landlords who had worked so hard to achieve that delicate balance had done a pretty good job.

The evidence, some five years later, suggests that this legislation probably, and I will say most assuredly, would need some fine-tuning because, yes, there were some abuses. But as a tenant back in the 1970s, I can tell this

House that the other thing which the tenants of this province want is to make sure they have a choice to live in a rental apartment that is not run by the government. Not every tenant in this province wants to live in Ontario Housing and not every tenant in Metropolitan Toronto wants to live in either Ontario Housing or Metro Housing.

They were very, very clear about wanting to have those kinds of choices and about wanting a housing policy that would be fair and equitable and that would deal with their concerns to have a decent, affordable, clean, safe place to live.

In this province there are about 1.2 million private apartments housing over 2.5 million people. As everyone knows, there are about nine million people in this province; so, in fact, there is a significant number of tenants in the province of Ontario. We know, as well, that this particular sector employs almost 300,000 people in the province of Ontario.

We also know that over the course of the last few years the existing rent review system saw almost 85% of those tenants in this province receive increases that were at or below the guideline that was established.

2100

I can say, as we discuss Bill 4 which is before us today, that I believe this piece of legislation will in fact be temporary. I agree with the minister when he says that this is not a good idea for the long term. I believe it will have the same kind of devastating effect on the rental stock in this province that the Progressive Conservative rent controls had in 1974. I believe we will see buildings start to crumble. I worry that North York will start to look like New York, that Oriole will start to look like the Bronx or Detroit. I worry about that because the Minister of Housing knows very well what Detroit looks like. I know his home constituency allows him the opportunity to view the slums of Detroit whenever he wishes.

During this moratorium that will bring stability to this province, I would urge that he reconsider the crazy policy articulated in the Agenda for People. At the same time, I think he owes an apology to my constituents and to the people of this province, both he and his leader who told them one thing during the election campaign and are now doing something that is completely opposite.

I hope that during this discussion they will start to understand that tenants are very reasonable people, that they want to make sure they are paying a fair and justifiable rent, that they do not particularly like the rent review system because it is cumbersome. On the other hand, they know that in order to have their buildings well maintained, in order to make sure they have a decent, clean and safe place to live, in order to make sure that their underground garages are safe and not corroding with salt and that when their balconies and their windows need replacing—whether it is for the safety of their children who play on those balconies or for the future of their children that they want to look at energy conservation as a real alternative in this province—those kinds of necessary and needed repairs must be encouraged and supported in a way that is fair.

I would agree that tenants are very concerned about luxury accommodation, and they should be because there have been some examples of abuse under the legislation. I think that is an issue that can be addressed during this moratorium, and it must be addressed. But I believe that tenants want value for their money. They want to make sure that their children also have a place to live and an apartment that they can rent.

Following the enactment of this piece of legislation, which I will be supporting, I look forward to the kind of discussion and debate that will lead to a rational housing policy that will include tenants in the debate, that will ensure that we as a society make it our business to house those people who are homeless, that we as a society ensure that there are affordable housing options and choices for the people of this province, that the people of Oriole who I represent and have the honour to serve in this House will understand that we are searching for that delicate balance which balances the interests of those who would build and run apartment buildings with those who would choose to live in them, and that they would agree with me that this is an opportunity for us not to be led down the socialist path of government-run housing, just as we are about to see government run a lot of things in this province that we did not think we were going to see.

[Applause]

I note that the members opposite are applauding the thought of government-run housing. I can say to them that my constituents in Oriole do not all want to live in government-run housing. I will stand in my place, day after day, time and again, to remind these socialists that in fact that is not what the people of this province want. Not everybody wants to live in an Ontario Housing Corp complex. People want choices. They want action and they want opportunities.

I can say that this legislation which is before us today is not fair and is not equitable, because it does not respond to those needs in the long term. I can say, however, that it does provide stability in an environment that requires stability for the time being. But I would hope that we would have a proper debate, a proper discussion and a proper consultation so that we can have the kind of approach to housing policy in the province of Ontario that I will be able to fully support and explain to the people of my constituency, and convince them that in fact all of their interests have been considered as we ensure that tenants have a clean, decent, affordable and safe place to live in this province.

The Acting Speaker (Mr Villeneuve): Questions or comments?

Mr Jackson: I was again fascinated by yet another member of the former Privy Council defending Bill 51. I was really amazed to listen to her set out the litany of excuses that sort of have perpetuated this Bill 51. The truth of the matter is that it is far too costly. When she first formed a government it was costing \$7.9 million to operate the program, and by her last Minister of Housing's own admission they had to stop spending money because it was getting precariously close to \$50 million.

The fact is that it is too complex. Under the first set of legislation up to 1986 there were 10 pages of regulations governing this bill and under the Liberals there were 125 pages of regulations. To make matters even worse, the government has made veiled comments in its conversation in this House during this debate which indicate that perhaps there were a few cases of abuse. Well, I say to the minister that both the current Minister of Housing and myself on a regular basis brought those cases of abuse forward in the Legislature and yet we had no indication from the government that it was prepared to look at those seriously and modify them.

Now we are faced, yes, with draconian legislation, but for two and a half years we have known about this situation and did nothing to stop it. Now there are whole sections of the legislation that still have not been proclaimed, and tenants are relying on those. We have done a disservice to both landlords and tenants by not having those sections proclaimed. They are another sense of broken promises from the former governing party.

There are also issues for Toronto residents as well. When taxes go up, they are passed on to the tenants. But under market value assessment there are whole sections of Toronto that will get serious tax reductions. Nothing in the legislation says that those tax reductions will be passed on. So there are serious flaws here that badly needed to be addressed and I would like the member for Oriole to be reminded of that.

Mr Bisson: I want to comment and I want to congratulate the member for Oriole. I think she raised some points of interest. I think most members would know, and I think a lot of people in her own riding would know, of the work she has done in the past with regard to advocating on the part of tenants, but I think there are a few things in her presentation that have to be brought to light.

The government of Ontario is not in the position where it is trying to go out and start up government housing across the province and eliminate the private sector. She alluded in her comments with regard to what she was saying that what we are trying to do is eliminate the private sector from rental units and that is not at all what this government is trying to do.

What the government is trying to do, and I think we need to be honest about this, is to plug some of the holes in the former legislation. Again, it is not a question that the whole legislation was totally inadequate, but there were some holes in it that you were able to drive a Mack truck through. Basically what we are trying to do is close those holes and give some protection to the tenants of this province.

I would like to thank the member for her comments. I think there is merit in what she is saying to a certain extent, but with regard to trying to imply that this government is in a position of trying to buy up all the rental accommodation out in the province, that is not at all what our intention is. Our intention is only to fix the rent control legislation so that the people of this province are able to get proper service when it comes to being able to rent units at an affordable price in this province.

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Mr Mills: I did not really mean to say anything here tonight about this bill because I thought it spoke for itself, but when the honourable member for Oriole said that it was a crazy policy, this sort of—as her leader says, I have two or three keys of aggravation in my body. When someone says that An Agenda for People is a crazy policy, like the Leader of the Opposition, that key gets cranked up a bit and it makes me rise to my feet to speak in opposition to that comment.

This bill is a very fine bill. It protects the people of Ontario, and contrary to the member for Oriole when I went around in the election the people asked me if we were going to bring in some sort of legislation like this to protect the old people, to protect the pensioners and to protect the people on low fixed wages. I said that we would and I am very proud to stand here tonight as we debate this bill.

I have been an apartment dweller for 10 years and every year without fail the landlord put it to me. I got out of apartments and I bought a piece of property. I have come to Toronto and I have had to take an apartment here. I said to the landlord, "It needs redecorating." He said: "We don't do that. You'll have to do it yourself or we will do it for you." I said, "How much?" He said, "It's \$500." The tenants of Ontario are still doing the inside maintenance of the buildings and nothing has changed, until this bill comes in and we get the legislation.

Mrs Caplan: In response to some of the comments from the government caucus, I was reviewing the comments of our Housing critic, the member for Eglinton. I think she made a couple of very excellent points. One was her quote from the now Premier not so long ago when he said: "You make it less profitable for people to own it. I would bring in a very rigid, tough system of rent review. Simple.... There will be a huge squawk from the speculative community and you say to them, 'If you are unhappy, we will buy you out.'"

If that is the policy of the government caucus, then I say to them that the scenario of people living in government owned, government run apartments is not far-fetched. It will be up to them to say whether or not that is their policy as we enter into a housing policy debate when they table their new legislation following this moratorium.

My colleague also had some very interesting points that I think could have resolved many of the issues that were raised and some of the abuses of the existing legislation that I think we all acknowledge. She suggested a total cap on rent increases that would be allowed in any single year. That kind of an initiative, the kind of initiative that says you can have amendments whereby landlords would have to get pre-approval, to ensure that items were genuinely required or where tenants could have more of a say in approving of those items in the building that needed to be replaced or where there could be some forum to ensure that you would have the maintenance maintained to an appropriate standard, all of these issues were addressed in her very fine remarks. She talked about the fact that there is an opportunity for us to work together because

what tenants want is value for their money and a housing policy that will respond to their needs.

Mrs Marland: On Tuesday 11 December in excess of 1,000 people gathered outside the Legislative Building to protest against this bill, Bill 4. Among the crowd were constituents of mine. Contrary to the government's suggestion they are not wealthy landlords who can absorb the enormous financial losses they will suffer as a result of this ill-conceived piece of legislation.

I would like to tell the House about these constituents who have contacted me to discuss Bill 4. As their sad situations demonstrate, this bill certainly will not solve the crisis in affordable housing. It will not lead to the construction of more rental housing stock or the maintenance and improvement of existing stock. Instead, Bill 4 will do just the opposite, because the bill will no longer allow capital expenditures to be recovered through rent increases. Fewer units will be built and building owners will be unable to afford necessary maintenance and repairs to their existing units.

I have heard from a retired couple who own a small building which they had hoped would provide a modest return on their lifetime investment and an occupation for them in their retirement years. They are conscientious owners who consulted their tenants about necessary repairs before making them. Because these building owners applied for rent increases after 1 July 1990, they will be unable to recover the costs of those repairs and stand to lose a large amount of their retirement savings.

Certainly the retroactive nature of this bill is one of the most unfair aspects of it. This couple was planning to live in this building and be the superintendents and caretakers of it themselves. They had the support of their tenants for the necessary repairs that were made.

Under free market conditions, these constituents might be able to recover some of their capital expenditures upon the sale of their building. However, if Bill 4 becomes law, there will be no incentive for people to purchase rental buildings and the buildings will be unlikely to appreciate in value. In fact, they will probably depreciate.

Another constituent recently spent \$75,000 repairing his 20-unit town house complex, all with the authorization of the tenants. I think this is singularly significant. It is not the story of a huge landlord, a huge conglomerate company, that is gouging the tenants. These examples I am giving are of the small property owner who did consult with his tenants.

He gave them a choice of having a small increase in their rent and having a nicer place to live. It was the choice of the tenants. He too submitted his application for a rent increase after 1 July. He too will be unable to recover his expenses through rent increases. This constituent is likely to lose his family's income and his family home because of his financial loss. Is that fair? If we think about the amount of property and the number of tenants involved and the fact that all of the money of these two families was put into these two building complexes, now where will they be?

What about the thousands of people in the construction and manufacturing sectors who will lose their jobs when

the demand for repair work and supplies disappears and new rental housing starts are virtually eliminated?

Another situation that has come to my attention involves a young couple who would like to provide rental accommodation by constructing an apartment in their house. Because of the strain of their large mortgage payments, they had hoped to build an apartment in their basement. They would have provided much needed rental housing and the modest income from that apartment in their basement would have enabled the wife to stay home with the baby they would like to have soon. Now they cannot proceed with the renovations since they will be unable to recover their costs. Their family plans are on hold too. It is rather ironical, since the former government was encouraging intensification by the construction and introduction of basement apartments and accessory apartments in single-family homes.

It is ironic that when we badly need more rental units, any incentive to build them has been eliminated by this NDP government. Can the NDP not see that rent control causes a shortage of rental housing and leads to the deterioration of rental units unless there is some provision for recovering capital expenditures through rent increases? Now, I say very carefully that when I am talking about rent increases, I am not talking about blanket, unjustified, illegal rent increases. I am talking about reasonable rent increases at the rate of inflation.

2120

Does the NDP want to turn whole neighbourhoods in our province's large urban centres into the slums that exist in other cities which have experienced rent controls for many many years? We are talking here about absolute rent controls without reasonable increases. I mention London, England, because it has large areas of abandoned, rotting houses that would have lasted for centuries but which at controlled rents do not pay the owners even the cost of maintenance. And so the buildings are abandoned. Accommodation that could have been housing for thousands of people is simply in an abandoned state. It does not exist any more as a place for people to live.

In the south Bronx district of New York hundreds of acres formerly devoted to rental housing are now abandoned. Everybody knows that. You see it all the time on television, and the problems that neighbourhood after neighbourhood of abandoned buildings present.

I want to emphasize that I do share the concerns of tenants. I share the concerns of those tenants who have advocated a system of rent control. I do not know a tenant who does not want to be protected from huge rental increases. But I also do not know a tenant who does not understand that this year it is going to cost more to heat and clean his building than it did last year, the same as it does for everybody in any other kind of housing. Those of us who are in town houses and apartments that maybe we own as condominiums, certainly all our increases are going up, so how come the rental unit costs do not go up?

Anyone who is renting accommodation accepts that there has to be a certain increase in cost. That is why those people in turn ask for an increase in their salaries and their wages. Goodness knows, the people across the House

from us here know better than we why unions negotiate for increased wages: because costs go up, whether it is food costs, transportation costs, clothing or, most of all, shelter. Some of them have held offices, I think, in some unions in this province. If they understand why wages and salaries are negotiated for increases through union executives, they must also understand surely that it is because costs are increased.

Therefore, people who have invested their lifetime savings in buildings—and I must say, I am not talking about the examples of offshore money that has come into Ontario and bought large apartment complexes and keeps flipping them and remortgaging them. Frankly, I do not support their applications for rent increases at all, because I see that as a system of gouging the public. I am talking about the majority of owners of rental stock in Ontario, and the majority of those owners are the small landlords. They are not the big corporations, as I said earlier.

When I tell you, Mr Speaker, that I share the concerns of tenants, I want to say that many tenants, as you and I both know, live on small, fixed incomes that are steadily being eroded by inflation. They truly feel the pinch of the rising costs of living and simply cannot afford escalating rents.

There are people in the workplace today who live in rental accommodation who are blessed with increases in their wage package every pay period. But there are a whole lot of people out there, a lot of seniors and other people on fixed incomes, people on permanent disability pensions and so forth, who simply do not have any increase to fall back on when their rents go up.

As well, many tenants have had bad experiences with landlords who collect the rent cheque but do not carry out necessary repairs on their homes. Naturally, these tenants resent paying more for rent each year. There have got to be ways that those people are protected. This bill does not do anything about that. This bill does not get at the heart of the problem. All this bill does, in fact, is create a whole new set of problems.

Tenants need and deserve a balance between the amount of rent they pay and the standard of accommodation they receive for that rent. Also, they should have the choice. If they want to pay more rent and have a more luxurious accommodation, that should be a choice. Today, with a less than 1% vacancy rate in rental accommodation in this province, there is no choice. People are lucky if they get somewhere to rent.

The ideal situation is to pay a reasonable rent as a tenant and live in a home that is well maintained. I do not think that is asking too much. The majority of fairminded business landlords in this province today want to be able to do that. They want to offer well-maintained accommodation in return for a fair market rent. They are not asking to gouge tenants as a captive payment.

What good will this piece of legislation do, this Bill 4 that we are debating tonight? Even more rental units will become run-down and substandard. Tenants do not benefit from rent control if their homes are no longer acceptable places to live. That is what is being lost in this debate. When Bill 4 aggravates our already serious shortage of

rental housing, more and more tenants will be unable to find reasonable accommodation in places where we would think it was fair for people to live.

We, the legislators who must provide leadership, face a quandary. On the one hand, tenants who need or want low rents support rent control; on the other, we know that rent control hurts future generations of tenants by leading to severe shortages of housing and substandard accommodation. I believe we must protect both the needy of today and the future victims of rent control who have no voice in this debate; namely, our children, who will not be able to find affordable, decent rental housing. This will require a difficult political decision, because to protect both means to compromise. If compromise is the solution, surely we all have the intestinal fortitude to face that and make that decision and protect everybody.

2130

There will have to be short-term adjustments before everyone will feel the long-term benefits of dismantling our rent review system. That rent review system we have had since that infamous Liberal bill was passed is a farce; it is an absolute farce. The kinds of rent increases that my tenants have had—I go to rent review, I want to tell members that. I am not speaking of something with which I have no experience. I go to rent review hearings with my tenants and it is an absolute farce. The appeal system is a farce. The evidence that the proponents for the rent increases put in is sometimes so convoluted you cannot even find out who owns the building. It is numbered so-and-so company, owned by X partners and you try to get it all out and you find they have sold the building that year at arm's length, so-called, to another company which is so incestuously related to the company that already owns the building that it makes a laughing stock of the whole process of the existing rent review.

Frankly, I think there would be long-term benefits in dismantling our rent review or whatever we want to call it, our rent control system, because it is not working. It is not protecting tenants today and this Bill 4 is just going to make everything that much worse. Frankly, I think we could all learn a lesson about political courage from the Soviet Union and the nations of eastern Europe that are making the difficult transition from communism to capitalism. Their people have the will to live through a period of adjustment for the longer-term good of their society. Difficult times in the interim, but those people have made the choice because they have the vision and the intelligence and the insight to see that although it is a tough decision today, it is the solution in the long term.

It really is a pity that this NDP government could not show the same courage in solving our housing problems. Ironically, just as these countries are rejecting communism and moving to a free market system, Ontario's new NDP government seems bent on a socialist non-solution to our problems. Why did the Minister of Housing not consider a creative solution to our housing crisis? For instance, he could protect the needy during a phase-out of rent control by offering subsidies to those who spend more than one third of their gross income on housing costs. Once again, new rental housing stock would be built and free market

forces would establish an equilibrium between supply and demand. Sadly, we know why the minister did not consider this option: It is because his government lacks vision and political courage. We can only hope that the good advice he is being offered during this debate will make him and his NDP colleagues change their minds about Bill 4.

In summation, I want to say once more that this bill is not the answer to protecting tenants, if that is what this new NDP government is preaching. If it is saying this is to protect tenants, then I have to tell it that it is not the answer to protecting tenants. How can it be? All it will do is put landlords out of business. Then where will we be? Who in his right mind would invest in rental accommodation?

Unless somebody is willing to invest in rental accommodation, where is the rental accommodation going to come from? It is not going to come from anywhere unless we are going to have it coming from the government. God forbid that is the solution. God forbid that is the road down which this government is planning to go, because we have already learned what it means when the government gets into the housing business. It subsidizes luxury condominiums that are already built. It subsidizes them at a rent in excess of what most landlords are asking for just the straight rent. The subsidy alone has been \$800, \$900, \$1,000 or \$1,100 a month. The subsidy alone has been that much. On top of that, the tenants have paid another \$400 or \$500.

I simply say to this government, why put public tax dollars into a business that the private sector is perfectly willing to offer for a fair return, because the fair return is going to cost less than half as much as it will cost us to allow the government to get into the business of building and providing rental accommodation?

I just have one comment to say to the member for Durham East. Actually, the member for Durham East is someone I respect and admire on a personal basis, and I particularly enjoy his sense of humour. When he stood in the House a few moments ago and said we have got to protect the pensioner, he was absolutely right. We do. But this bill is not going to protect the pensioner. I should know, I have a large number of them in my riding. There is no way that this bill will protect anybody on a fixed income. When the member for Durham East says "the pensioner," that is the person he is concerned about. It is also the person that those of us in the Progressive Conservative caucus are concerned about. We have been concerned about them for a long time when we were concerned about the legislation that the former Liberal government brought in.

All I can say in closing is that the solution is not this bill; the solution for affordable housing is not this bill. Nor is the solution for the government to subsidize luxury condominiums or to get into building housing stock in this province at the kinds of prices that it has been demonstrated exist when the government is in that business. We simply say to this government, do not try to fool the people of Ontario that Bill 4 is going to do anything for the housing crisis, nor is it going to do anything to protect those tenants.

Ask the tenants themselves whether they would rather pay a fair increase in their monthly rent and have a clean, well-maintained building to live in, or would they rather live in a place that is deteriorating and pay less rent? I think that is an insult to the people of this province. Frankly, as someone who has been into some of the older buildings that are not being maintained—and I have seniors in some of those buildings because that is all they can currently cope with. I have gone in and I have unplugged kitchen sinks and I have put washers in taps and done very basic maintenance, which I guess because I grew up with three brothers I am able to do. I have been doing that because the landlords, as they exist in some of those buildings, have not been able to do that kind of maintenance.

With this kind of bill, people will be lucky if they ever get an electrical appliance replaced or repaired, because the landlords will simply not have any money to do that. Do not give me that line that they get the money in their rent to do it, because they do not get the money out of their rent to do it unless you give them a margin of increase to meet the costs of inflation in operating those buildings.

Operating a rental building is the same as any other business. I think that if we have a conscientious government, it will respect that. They will recognize that anybody who makes an investment, no matter what the business is—and in this case we are talking about rental housing as a business—is entitled to a fair return on his money. This is not a communist bloc country. Why should we, in the province of Ontario, start stepping backwards into the dark ages, when those countries in eastern Europe have stepped out into the sunlight?

I simply say that Bill 4 is not the solution and we hope that this government will very soon come to its senses and recognize where the economies are.

2140

Mr Mammoliti: The honourable member across has stated, I guess it was halfway through her speech, that there was something wrong with the rent review system, that she has had the privilege of witnessing what goes on down at the rent review hearings. I agree with her on that point. There is a problem with rent review, the present Liberal rent review system, and we have to do something about it. We are doing something about.

However, I do have a problem with one of the comments that the honourable member made, and that was comparing union wage increases and landlord affairs. How can she possibly compare the two? Just off the top of my head, cost of living and compensation are the two main reasons for making a profit for the owner of whatever company we are talking about or for whatever raise we are talking about. How can she compare those and reasons for somebody wanting a raise to a landlord who is making all kinds of profit and who wants to take more and more money away from the tenants who live in the building?

Like my colleague the member for Durham East, I get ticked off and I got ticked off at that.

Mr Sola: I am surprised, but for a change I almost agree with my colleague the member for Mississauga South on some points. I would like to point out that I have

to disagree on certain points, and some of them are when she starts pointing fingers at the Liberal Party.

As far as rent control and rent review are concerned, I think all three parties in this House are at fault. It was the brainchild of the NDP, it was the implementation of the Progressive Conservatives and I think we had a little bit to do with making it worse. Now I think the NDP is giving the death knell to that.

What I would like to get back to is that the honourable member for Mississauga South referred to the USSR and the vision, courage and intelligence to tackle its problems. I am afraid they were backed into tackling their problems. It was not courage, it was not intelligence, it was not vision. It was the fact that they bankrupted their system by employing methods similar to what Bill 4 is all about. That is why they have been forced into tackling their problems.

The people with vision, courage and intelligence are the leaders of the satellite states, the ones who are leading the democracy movements over there, the ones who are putting their lives on the line by agitating for free elections, by organizing for free elections and by putting their names on the ballot in free elections. I am referring to the people of Lithuania, Latvia, Estonia and Ukraine. I would like to take my hat off to them because it is people like them who are leading to the liberalization of the Soviet Union because the bureaucracy, the status quo, just wants to maintain the power it holds.

Mr Jamison: I have sat here again quietly listening and I must say there is a tremendous amount of rhetoric going on here in the House.

The important thing to realize—and I do not think either the opposition party or the third party realizes it—is that Bill 4 is a stopgap measure on the part of this government to stop the excesses that are going on, not by every landlord but by landlords out there who are simply seeing loopholes in the present legislation that they are finding it very easy to take advantage of.

I would like to say that as the government of the day, we are going to be looking very seriously at putting together policy that will work for everyone. In the meantime, we have to stop the kind of gouging that is going on out there; that is why we put the two-year period in place. The two-year period is going to be shortened dramatically, subject to how well we as a government receive co-operation from the other parties in the House. That is very clear to me. Why do we not understand that? Why do we not listen and understand that? We are going to shorten that period as much as we possibly can.

On a personal note, believe it or not, my father was a landlord. He owned a building in Dundas. He told me he always said: "I'll buy the building and I'll treat the tenants right. I'll make sure that included in the rent is the ability for me to carry on with the ongoing maintenance of the building." He was not a rich man, but at least he had the sense to do that.

Mr Tilson: There is no question that the government has been referring to this legislation as a stopgap measure, but I think its problem is that it is shooting before it thinks. I have asked repeatedly for its reports, its analyses and its

legal opinions. I have asked on numerous occasions for its economic analysis on its arriving at what it has, and I do not think it exists.

Over the weekend, the Minister of Labour made a comment in response to one of the landlord organizations which referred to the tens of thousands of jobs that would be lost as a result of this legislation. The Minister of Labour responded that this was not because of Bill 4; it was because of the recession. He has no facts to rely on that. I think that is the problem with all of this legislation; there are no facts being set forward. Also, as the member for Scarborough North commented in his remarks, the government simply has no policy; it is shooting before it thinks.

The government continually talks about consulting. It has not consulted with everyone. It has not consulted with the construction industry. It has not consulted with the tenants. It has not consulted with the landlords. It has its dogmatic approach as to how it is going to solve a very serious problem, but it has not analysed all the issues.

Mrs Marland: The member for Yorkview said he could not understand the comparison between unions negotiating increases on behalf of their members versus landlords asking for increases in their incomes from their properties. As a member of his party, he should understand better than I do what unions negotiate for, because I suggest to him that people who work for unions do not need any increases if their own costs of living are not going up.

I think the member would have to admit that the major cost of living for all of us is housing, then food, clothing and so forth; so I ask him, is it fair to ask people who own property to invest in that property as a business investment without getting a fair return on their investment? That is simply all we are talking about. Is it fair that people who can afford to rent an apartment that may be nicer than another apartment do not get an opportunity to do that? If he wants to take everybody down to the lowest common denominator, that may be the choice of his party. I can tell him that our party is in favour of giving tenants a choice of accommodation and, most important, that it is well-maintained accommodation.

I say to the member for Norfolk, when he talks about a stopgap measure, that is exactly what this government is providing, a stopgap measure, and it should be ashamed of that because we are not talking about rich people. I ask any of the members who went out to our front steps a week ago and saw the people who were out there, pleading with this government not to bring this bill forward, to show me any one of them who is a rich person. They are the average men on the street who are simply saying, "Help us, as tenants and landlords."

2150

Mr Mammoliti: "You don't need an increase if the cost of living doesn't go up"—typical words from a Conservative. When you have a group of employees who are working hard to make an employer rich, is it not necessary to compensate them, to make them feel good? I am hearing that it is not. I have a problem with that.

We have heard a lot of debate today, and I am somewhat confused. I am confused that the opposition really does not understand the tenants' feelings. Tenants' feelings are important, very, very important. Landlords have feelings as well. I am not saying they do not. Yes, they have feelings and, for the most part, a lot of them have money as well.

We have heard that the NDP will turn buildings into slums. That is another phrase that really annoys me. I do not blame the NDP, and nobody should blame the NDP, for this legislation. This legislation is called for. If buildings turn into slums, I say it is because of neglect by the landlords. I say it is because they do not want to clean, repair or properly maintain their buildings.

I am looking forward to a year from now when this argument comes up, as I am sure it will, and when I, as the Yorkview representative, will make it a point to enter the building when somebody calls me and to check out what has been happening and whether or not somebody has been cleaning or maintaining the building as he should. It is not being done now. Day in and day out, I am sure all of us are getting calls in our constituency offices telling us they have problems. They phoned for a stove, the burner on their stove is not working and it has been three months and nothing has been done.

What I am hearing here is that landlords cannot afford it and will not be able to afford it. It is their responsibility to find a way of affording it and, if they cannot properly manage their building, then there is something wrong.

My government has responded to the desperate need to stop the wave of unnecessary rent increases which the previous governments carelessly allowed to be put into effect. They did not listen. The tenants have been crying. They have been crying for years. They did not listen, and now we hear about the landlords crying. We are prepared to listen to anybody, and we are prepared to listen to the landlords as well. We want to be fair to everybody. We are listening to the cries of the tenants and we are doing something about it, a lot more than the previous government did.

A lot of tenants are out on the streets because of the Liberal rent review system. A lot of tenants in my riding may be out on the street in no time because they cannot afford a 55% increase—that is just as an example; they cannot afford a 35% increase—and they cannot afford it because they do not have the money. The landlords have the money.

I too have gone to rent review hearings. I too believe there is a fault in rent review, and I have seen it. In response to the people in my riding who are complaining about why the rent is going up in their particular unit, I say that they should investigate as well. I am not just standing up here and talking for no reason. They will find that, for the most part, it has to do with neglect. A lot of the work being done in the units has to be done because of neglect by landlords. When a driveway needs resurfacing or a roof needs to be redone, I say investigate it and find out why these necessary repairs have to be looked after. The chances are it is because of neglect. We are protecting the

tenants from this sort of behaviour, this sort of neglect. This legislation does that.

Across the province, 330,000 tenant families have had to face rent increases above the rent review guidelines—that is a lot of families—increases that at times have been even more than 100%. That is incredible. How can somebody take that particular blow? It is incredible. Our previous legislation allowed that to happen.

In the last three years the average rent increase allowed by rent review was 11%, way over the rate of inflation—and that is just an average. The statistics are incredible. If I may just relate to my riding for a minute, almost 7,000 people have been affected by the previous legislation; 7,000 people in Yorkview have had increases because of the rent review system allowing that to happen. I am not talking about just average increases; I am talking about increases because of neglect.

We talk about landlords suffering and contractors losing out on jobs and having to lay off workers. There was an article in the *Globe and Mail* today, I believe it was. There is a quote from Julie Davis, who is the secretary-treasurer of the Ontario Federation of Labour; it starts: "When tenants pay rent, some of it is supposed to go to the maintenance and upkeep of buildings. So if jobs are lost, I think it's the responsibility of the landlords, rather than the legislation." That is true.

During the campaign I had the privilege of visiting a number of buildings in my riding as well, and I remember one particular building that is having a problem with rent review and one particular tenant who talked to me out in the hallway and who showed me the renovations that happened in the building. He pointed out the carpet, he pointed out the lights, he pointed out the stucco work and he pointed out how luxurious it was and how unfair it was for him to pay for that luxury when he did not have a say as to whether it should be there or not. That is happening. It is happening all over the place and, yes, I have a problem with that as well.

2200

Due to its complexity and costliness, changes had to be made to the Residential Rent Regulation Act of 1986. Tenants were at the mercy of their landlords for too long, unfairly hit with ridiculous, unjustifiable increases in the last few years. When I hear statements from the opposition that tell us we do not understand about housing, that ticks me off as well. I may sound like a ticked-off man, but I think I have reason to sound like a ticked-off man. I do not understand why the opposition is opposed to this. I do not understand why the landlords are opposed to this. We will listen to anybody. We will listen to landlords. The minister has made it quite clear that the door is open. This legislation is protecting the tenants.

I really believe that once this legislation comes into play, everybody in this House and everybody in Ontario will be pleased, providing that we work as a family and as a unit. If landlords are going to take the position that they do not want anything to do with the government after this, they do not want to do anything with maintenance and they do not want to do anything with their tenants, then there will be a problem. I want to address that now,

because later it will be a problem, so I ask the landlords out there, as well as our opposition across from me, and everybody else in Ontario, to please put our heads together, put our thoughts together and work together.

Mrs Caplan: The member for Yorkview represents a riding which is not unlike the riding that I represent, Oriole, and I want him to know I have knocked on every door of every apartment building. I have seen what kind of anguish the tenants go through when they cannot get their apartments maintained, when they cannot get their stoves fixed or their refrigerators repaired, when they cannot get essential maintenance done.

I would tell him, at the same time, that those very same tenants do not feel they have value for their money today, and those are examples which are not the norm; those are the exceptions. I have seen them. We have appealed to the rental standards board for work orders through the municipalities to have those rectified. The overwhelming majority of the buildings in my riding, and I believe in his, are maintained. The fact that there is no incentive in this new piece of legislation, this moratorium, to encourage any kind of better maintenance which the tenants in my riding are looking for, I think is something which is of grave concern and I am very surprised that he did not mention it in his comments.

This legislation, he says, will encourage the kind of maintenance which my tenants in the riding of Oriole want and are hoping for. There is no incentive in this legislation for that to happen. He says the door is open. At the same time, my constituents are saying to me, "We are expecting a rent control system that was promised in the Agenda for People," and they say, "You'll see, Elinor, this new government is going to do what it said it would do." I am going to be very distressed when I have to go back to them and report what I am hearing from the government benches opposite. The tenants want protection. They want value for their money. They want fairness, but they also want good maintenance.

Mr Perruzza: The member opposite has just suggested that she has knocked on every door of every tenant building in her riding and I am just wondering how many buildings are in her riding for her to be able to make that kind of assertion. I suspect about 45% of my riding is tenanted dwelling units and I would like to get around to all of them at election time. In my five years of politics I have tried, Elinor, but I have not been able to make it yet. I am continuing to do that.

The Deputy Speaker: It is the member for Oriole.

Mrs Caplan: On a point of privilege, Mr Speaker: I would request an apology from the member opposite. Since my election in 1985 I have in fact knocked on every door of every apartment building in the riding of Oriole. I would suggest to him that it is possible, if one is willing to put in the time and the hard work. I consider as a point of privilege in this House the fact that he has questioned the statement I made.

Mr Perruzza: If the member takes exception to that, I withdraw that statement and I commend the fact that she has knocked on every door of every apartment unit in her

riding. That is duly noted for the record and I applaud her for that.

The way I read this legislation, it is a very wide net and it simply catches those speculators who have been allowed to run rampant by the previous governments, both the Conservative government in its day, followed by the Liberal government in its day. That is who it catches, those people who pick up on a dilapidated building and do nominal improvements to it in the hope of going to rent review to have large increases in their rents, and they can turn around and sell their apartment buildings for large profits.

The Deputy Speaker: Would you like to add on for your two minutes?

Mr Mammoliti: Yes, of course.

I do not understand the honourable member for Oriole. First she says she understands there are all kinds of minor repairs that have to be done in units, and then she says that the majority of the units are being properly maintained. I have a problem with that. She says she has knocked on all kinds of doors. Maybe she has, but I do not think she has understood the residents and their complaints and the problems that exist in the buildings. When she is saying, on one hand, that she understands that minor repairs have not been done and then she is saying, on the other hand, that the majority of the units in her riding are being maintained properly, I am sorry, I have a problem with that.

Landlords are responsible for the repairs. Landlords are responsible for the health and safety of their tenants as well, when it comes to repairs. I personally am going to note that when I personally do some visiting and inspect the units to find out whether or not they have been done, and start logging to make sure they are not playing games.

In response to the honourable member for Oriole, I say it is the responsibility of landlords to repair the buildings. Health and safety are very, very important.

2210

Mr Chiarelli: The Treasurer just made a comment a minute ago that Chiarelli is warming up and it is very difficult to stay warmed up tonight because there are so few interjections and points of order from the other side. I would hope that the lack of interjections and points of order is because the other side, the government side, is actually listening, because I think the quality of debate on this important issue is very high from all sides and I was happy to hear the other day that the Minister of Housing is actually going to consider amendments and improvements to this legislation.

When legislation of this type is introduced and it affects so many people and it is so far-reaching, the government must know the intended result and it must know the consequences of the legislation. The consequences must be fair and they must be equitable. A lot of members in this debate have been talking about the fairness and the equity.

I was pleased to see that the government side is listening very carefully to the suggestions of our critic, the member for Eglinton, to the former minister, the member for Scarborough North, and even to the third party. They have been contributing very positively to this debate.

It is important with this type of legislation that we understand what might be falling through the cracks. There are two areas, significant areas affecting a lot of people in Ontario, that are falling through the cracks with this legislation. Does this bill address the pressing needs of all Ontario tenants? No, it does not. There are over 100,000 tenants in Ontario who are not covered by this legislation, and I will refer to them in a minute.

Another matter which is falling through the cracks in this legislation affects the municipalities. There are significant issues affecting municipalities which are falling through the cracks with this legislation. Hopefully, the government will look at that when this particular legislation goes to committee.

First, I want to refer to those 100,000 tenants who are not covered by this legislation. The members opposite will know that the tenants of the Ontario Housing Corp are not covered by the Residential Rent Regulation Act. That is a very significant point, particularly when we look at the issues of this temporary rent control bill.

It is important to my riding, Mr Speaker, and it is important to you as well, coming from Ottawa-Carleton. In Ottawa-Carleton we have over 11,000 Ontario Housing Corp units with over 30,000 residents. In my riding alone there are some 4,000 tenants of the Ontario Housing Corp and I work very closely with them. As a matter of fact, in my constituency office, about 75% or 80% of the time of my constituency assistants at this point in time cover problems with Ontario Housing tenants. I feel very strongly about legislation which affects these tenants and I feel very strongly that they are falling through the cracks once again.

I am speaking to the Minister of Housing, who is chatting with his colleagues on the other side and not paying attention. The Ontario Housing Corp tenants under the Conservative government, in large measure, were falling through the cracks and to a large extent under the Liberal government they were falling through the cracks, and now with this legislation, with the New Democratic government, they are falling through the cracks once again.

I want to refer to one particular issue, and it is included in the explanatory notes of the minister's bill. I will read from that: "The criteria the minister is to consider in making an order respecting a tenant's application for reduction in rent" are certain criteria: "(a) A deterioration in the standard of maintenance; (b) a discontinuance or reduction in services or facilities; and (c) the degree to which the rental unit complies with maintenance standards."

Although essentially 95% of Ontario Housing Corp tenants are in units with rent geared to income and do not have to deal with these so-called bad landlords increasing rents, they have to deal with the bad landlord who is cutting back on services and maintenance. That bad landlord happens to be the province of Ontario. The Ontario Housing Corp tenants have been getting the short end of the stick for the last number of years under three governments, three different parties.

I am going to talk on behalf of those tenants in my riding because they need help. I am going to refer to a

submission which the Ottawa-Carleton Regional Housing Authority made to the Liberal government just before the election. They have made the same request to this government.

I urged the former Liberal government to respond and I am urging this government to respond. I want to read from a submission that was made by the chairman of the Ottawa-Carleton Regional Housing Authority to the then Liberal government and now to this New Democratic government. I hope members will bear with me. It is a fair bit lengthy, but I think it is important that the issue be dealt with. It is important to me and my 4,000 constituents who are tenants of the Ottawa-Carleton Regional Housing Authority. I am reading from the memo:

"The Ottawa Carleton Regional Housing Authority, through a management agreement with the Ontario Housing Corp, is responsible for the property management of approximately 8,600 family and senior citizen rent-geared-to-income housing units located throughout the region.

"The portfolio, which has an estimated replacement value of over \$692 million, has an average age of 18 years, with the family units being closer to 20 years.

"The total operating budget for 1989 was \$50,324,000 with a revenue of \$23,050,000." Obviously, there was a subsidy from the province, which I will not go into. "...we are seeking support for funding necessary to accommodate the ongoing needs of this valuable resource that we have been entrusted with.

"The 1990 proposed budget contained \$15,118,200 in capital or non-recurring items. Following successive reviews by the ministry, this was reduced to only \$7,861,200. We are certain you can understand the impact this will have on our 58 communities and the over 30,000 people residing in them.

"We have a responsibility to provide our tenants and your constituents a safe, secure and comfortable living environment. Without adequate funding, however, our abilities are very seriously impeded. In this regard, we are asking for your support in assisting us in our efforts to get funding approval for the attached list of jobs which we would like reinstated this year.

"We are currently preparing our budget for 1991 and it appears that we will again be looking for approximately \$15 million in capital or non-recurring funds to accommodate much-needed repairs, replacement and retrofit as identified throughout the portfolio. We would appreciate your support in this regard as well."

They are looking at somewhere in the area of a \$7-million shortfall in funding. The point I am making is that these people, over 100,000 of them, do not have the protection that all the other tenants have in this province. The previous legislation and this legislation refer to being able to apply for rent deductions for lack of maintenance and cutback in services. I want to make the point that in point of fact, this landlord—namely the province of Ontario—has been receiving—

Hon Mr Wildman: Did your legislation give them that?

Mr Chiarelli: Do you mind talking a little louder? I cannot understand your interjection.

Hon Mr Wildman: Did your legislation give them that protection?

Mr Chiarelli: You are in government now, sir, not us.

The Deputy Speaker: Order.

2220

Mr Chiarelli: The fact of the matter is, this legislation does not cover the tenants in the Ontario Housing Corp. They do not have the same rights as the average tenant across this province under the previous legislation or even under this proposed legislation. It is something that this government has to look at in its consultative process.

The other point that is important to recognize is that this particular landlord is saying it has an \$8-million shortfall in capital funding to make important renovations, and yet the housing authority confirmed to me today that it has been receiving an inflationary increase every year over the last 10 years to cover off its maintenance.

Why the shortfall for these capital improvements? I am asking this government to answer that question. I am not sure I have the answer to that question, but when they are talking about this short-term rent control legislation and landlords are saying they cannot cover capital improvements, I am asking this government to look at itself as a landlord.

This government is the landlord of over 100,000 tenants, and it is having a capital funding shortfall in spite of the fact that it has transferred to these housing authorities across the province inflationary increases for maintenance in every year. So there is a fundamental problem with the premise they are talking about in terms of what landlords can and cannot do, and I ask the government to please look at that in a consultative process and in committee.

In terms of my constituents and their request for funding or, the flip side, the fact that they have no recourse to apply for a reduction in their rent, they are second-class tenants in this province. I want to point out some concrete examples of tenants who have written to me recently.

As I indicated, 65% or 70% of the time in my constituency office is dealing with Ontario Housing tenants, and significant numbers have to do with the maintenance problem of Ontario Housing.

I want to give some examples. The member for Niagara Falls indicated very clearly that housing is a women's issue. It is a women's issue in the Ottawa-Carleton Regional Housing Authority where 65% of the family units are mother-led tenants. They have a problem, and I am going to refer to some of them.

Here is correspondence to me from a tenant. Mrs X—I will not use the name—wants the Premier to act on the following. Three years ago they were promised new windows. They do not have them yet. They are told an effort is being made to put it in the budget. Mrs X says: "The problem is serious. The wind whistles through and when it rains they leak." The province is the landlord of that unit. The housing authority in Ottawa-Carleton is asking for

funding to rectify that situation, and I am asking the minister to respond.

Another example—I am going to quote from a letter from a tenant in my riding, a Foster Farm tenant:

"I am writing this letter in regard to OHC maintenance. We have lived in OHC for 11 years now in the same house. We have been having our yearly inspection and for the past five years we have been told we need new kitchens, new kitchen cupboards, new flooring throughout the house."

I am having trouble reading this because it is in the person's own handwriting, so bear with me.

"Every time we ask, we're told it is not in the budget. For two years we have been waiting for a basement window. These houses are around 20 years old and are in bad need of repairs. We were told we need a new bathtub, but because we have glass shower doors, they won't give us one.

"These are just a few of the problems. I am sure if I had the time to go through the community, you would understand that there are a lot of things that are in desperate need of repair."

That is from a member of the tenants' association of that OHC unit. Something has to be done. There is a desperate need.

I repeat, to put it in context, these tenants are falling through the cracks with this legislation. This government had the opportunity to consider the needs of these 100,000-plus tenants in Ontario, and it missed the boat. I am here to remind the government that these tenants cannot fall through the cracks any more, and I am urging the Minister of Housing to please address this urgent need.

I know the night is moving on. I have other concrete examples, letter after letter from my tenants indicating the dire need of Ontario Housing units in my riding of Ottawa West. Something has to be done, and it has to be done urgently.

The member for Yorkview surprisingly, I noted in his biography, was a maintenance superintendent for OHC, and out of the mouth of this member for Yorkview, "A landlord must find a way." He was saying that landlords are giving excuses that they cannot honour their commitments to tenants to maintain the buildings. He is saying the chances are it is because of neglect.

I say to the biggest landlord in Ontario, the province of Ontario, and to the Minister of Housing, why did he leave these 100,000-plus tenants out of his legislation? When other tenants in Ontario can apply for a rent reduction if they are not getting the services, why are these tenants of OHC being treated as second-class tenants, as they are, by the Conservative government, then by our past Liberal government and now by this New Democratic government?

Governments have to do better on this issue because the tenants are hurting in my riding and in a lot of OHC units across this province. I am pleading with the minister to do something about it and to give some protection to these OHC tenants.

Hon Mr Cooke: What did you do three months ago?

Mr Chiarelli: The member opposite asks, "What did you do three months ago?" I am honest enough to stand here and say we did not solve the problem, and I am saying to this government now that it is missing the boat as well.

I am saying that to the Minister of Housing, who is heckling me. Is he going to stand up on a platform and tell those 4,000-plus tenants of mine in Ottawa West that they cannot have protection? What is he going to do about it? The minister did absolutely nothing in this Bill 4. In the consultative process, he had better do it because these tenants need help and they are pleading for help. The minister is waving, saying I am nuts. Those 4,000 tenants will be getting this Hansard and they will be at the minister's doorstep because they need help, and they need it desperately.

I repeat again that the Ottawa-Carleton Regional Housing Authority, on which I sat as a member for five years—I had some experience in the field; I had all kinds of submissions come before me when I was a member of that board—is looking for some avenues to assist its cause. The housing authority management is excellent. In all honesty, I cannot say to the general manager of the Ottawa-Carleton Regional Housing Authority that he can do any better. He has limited funds. He has been crying at the door of the province for financial assistance to be able to maintain the housing stock.

The point is that this landlord, the province of Ontario, is in dire need of capital funds for renovations; yet in every budget year it received the inflationary increase for maintenance. I think it is very, very important that we look seriously at this particular issue.

The last point, very briefly, is that we have to look seriously at the impact of this legislation on our housing stock. The housing standards committee of the city of Ottawa had a meeting last week at which it discussed this legislation and it expressed great, great concern.

The chairman of the housing standards committee, whom I spoke to today, indicated that he has already received feedback from landlords and property owners who are under order to renovate, saying they cannot raise the funds. He has confirmed to me today that on a regular basis where there are orders for significant improvements in the housing stock, he is told that the landlord, the owner, has to apply for funding. He has indicated to me that he has already had landlords indicate to him—these are landlords who are under order—that they are having their source of financing cut off.

I will not go much further, other than to say that in addition to the over 100,000 tenants who have fallen through the cracks in this legislation, another matter is the serious problem facing the housing standards boards in all the municipalities across the province. I urge the government, when this goes to committee and in its consultative process, to really consult with the housing standards people in the municipalities because this is something they did not anticipate. The bill was brought in in a hurry, it was very draconian, and it was not fine-tuned; the sooner we can put a permanent bill in place after consultation, the better off everyone will be.

I urge the minister and the government to consider those two items which I think have fallen through the cracks, but of particular concern are the 100,000-plus tenants of OHC units who really need help in this province.

2230

Mr Offer: I have listened closely to the comments of the member for Ottawa West. I think it goes without saying that all members in this Legislature certainly want to provide whatever protection is necessary to the tenants to make certain that they have a place to live, that they have a quality of life, that they have the security that I think all members of this Legislature and everyone else in this province believes in and certainly wants to work forward to attain and maintain.

However, I must express some concern about the recent announcement by the minister. I believe that in many ways the minister has put all landlords in one category. I think there is no doubt that in this province there are some landlords who are less than good, but there are many, many landlords who do have and have exhibited a great deal of responsibility not only to their profession but to their tenants, who want to work closely with their tenants to provide that type of security, that home which is very much a home, which is a place that lends itself to a good quality of life.

The announcement by the minister: I do have some concerns about its retroactivity with respect to the impact it might have on the renovation industry and, of course, on the job sector. I am glad the Minister of Housing is in the Legislature this evening, because I have received a letter from a constituent, who writes to say that the minister's proposed legislation on freezing capital improvements is devastating to the industry he works in. This person is not a landlord. This person has a job and wants to maintain his job, and he worries about the impact of the announcement by the minister.

Mr Mammoliti: Again I am confused and concerned about the member's statement about Ontario Housing Corp. On 1 February 1990 the Liberals allowed Ontario Housing Corp to implement a policy, the secondary-wage-income-earner policy—

Mr Chiarelli: You're the landlord now; fix it.

Mr Mammoliti: Yes, that is right; we have to look at that now.

The people in OHC units who are secondary wage income earners are forced to pay rent now as well. The member sits across from us and says he is concerned about people in OHC, but his government when it was in power did absolutely nothing for them when it came to this sort of thing. As a matter of fact, they allowed them to implement this program, and now the minister has to look into this and deal with it.

Mrs Caplan: I would like to make reference to the comments by my colleague the member for Ottawa West. I have been in this House now five years and I have not heard as impassioned a plea on behalf of the tenants of the Ontario Housing Corp as I have heard him make.

Interjection.

Mrs Caplan: Do you know what distressed me, Mr Speaker? While the member for Ottawa West was speaking, the people of the government caucus, who not only should be listening but should also be advocating on behalf of the tenants of OHC, were heckling in a way that suggested they did not care about the tenants of OHC. Since the policies of this new government will likely lead to having more and more people being tenants of the province of Ontario, I suggest that they listen to the stories that my colleague the member for Ottawa West told. They should heed his tales.

As I said, I have knocked on the doors and visited many of my tenants, and I can tell members that those people who are tenants of the OHC buildings in my riding are not generally satisfied with the level of maintenance in those buildings. They tell me many of the same kinds of stories that my colleague brought to the attention of the House.

I suggest to the members opposite that they pay heed and tell the Ontario Housing tenants of this province that they do care about them and that they appeal to their colleague the Minister of Housing so he can address the important issue of essential maintenance for the tenants of the province of Ontario.

Hon Mr Cooke: I was not going to participate, but I decided to do so after hearing such absolute nonsense from the member for Ottawa West and the member for Oriole, who know that after their party had been in power for the last five years, they did virtually nothing to reform the housing authority process in this province and in particular the Ontario Housing Corp stock. They did absolutely nothing.

The fact of the matter is that they know as well as I do that in housing projects in downtown Toronto and elsewhere across this province, but particularly in the greater Toronto area, there has been a significant problem with security and a significant problem with the increased use of drugs that has been in the papers across this province and in this community in particular.

Just a few weeks ago I visited Regent Park, where people can walk in the side doors, the back doors and through the buildings. There have been security problems there for many years. There has been an attempt in the past by the tenants in that area to come to their government and to try to get capital funding so this problem can be resolved. What was the response from their government? Zip, nothing at all to help those tenants.

I was up in the Jane-Finch area a few weeks ago as well and visited some buildings. I agree with them that the condition of those buildings is inadequate. What did their government do about it? Nothing.

Look at the makeup of the housing authorities across this province and of the Ontario Housing Corp board; tenants are not represented on the housing authority boards and they are not represented on the OHC board. It is an understatement to say, having heard from the member for Oriole and the member for Ottawa West, who have never spoken on this issue in the five years that I have been here, that it is just a bit phoney to hear their speeches tonight.

Mrs Caplan: On a point of privilege, Mr Speaker: I must say that I am very distressed by the comments from the Minister of Housing. He knows full well, as a member of the committee which looked at the existing rent review system, that I have been an advocate of tenant protection and essential maintenance for all tenants in this province. For him to impugn my motives and the motives of my colleague is conduct unbecoming a minister of the crown and unbecoming a member of the government.

Mr Chiarelli: I would tell the Minister of Housing that in the last election I won 13 of the 14 public housing polls in my constituency. I am proud of that because I have been working for those people and with them and I will continue to do so.

It is very easy for the Minister of Housing to stand up and point his finger at what the government did not do in the past, but he has introduced a bill when all he had to do was add about seven or eight words by way of an amendment to the existing legislation.

The legislation he has proposed indicates that tenants who are getting less service, a deterioration in standard of maintenance etc can apply for a reduction in rent. All he has to do is to say that this applies to tenants of the Ontario Housing Corp. But there is a problem; he has to go and talk to the Treasurer, and he is in a conflict of interest, because he happens to be the landlord and he has to make good on the repairs.

Really, what he is doing is looking backwards and he is blaming the Liberals on this point. Maybe the Liberals deserve some blame on this point, but that does not let him off the hook. He has the responsibility today and he should honour it. Is he or is he not going to give protection to these 100,000 tenants who are getting shortchanged because they are being underfunded by him, the landlord? He can point backwards all he wants, but we are here today and we are here tomorrow and that is where the buck stops, right where he is sitting, in his seat. He should do something about it and he should do something about it now.

2240

Mr Cousens: As we continue to debate Bill 4, An Act to amend the Residential Rent Regulation Act, I would like to just give a touch of perspective to this bill as it relates to the agenda of the government and to the agenda that we have in opposition when we are reviewing pieces of legislation that come forward from the government.

I think the first one I want to make is that when people look at us on TV they are going to be saying: "There they go, criticizing the government again. All you can do when you are in opposition is criticize, criticize, criticize." To me, one of the important things in opposition is to make sure that in this House we have balance and recognize that the government is going to do some things right. When they do, let's have the strength of our convictions on this side of the House to compliment them on it, as I have already done when the Minister of Transportation came out with his transportation guidelines for the greater Toronto area and for commuter services and continuing

Highway 407. I strongly endorsed it and applauded him from this side of the House.

When we saw the Attorney General make an announcement to try to do something about the backlog in the courts, which quite candidly has become a very serious problem—we discussed it in public accounts. I thought there was a solution on the way through the previous government. It did not happen and then we started having cases thrown out of court that should not have been. Although I do not think throwing money at the problem is a solution, at least the present Attorney General has recognized it as an issue and is trying to do something about it. To that end I say congratulations, because we have a terrible problem in the courts and we have to take some action on it.

When we see the government doing something about food banks—I would like to make sure we eliminate food banks within the next several years and when the government has a strong social agenda that is going to recognize poverty, I will be there to compliment the government on it. I think a balanced opposition has to have, on the one side, the time to say, "Good work." But then we also have to come back to what we are doing here tonight and take a moment or two, or as long as it takes, to make sure the government understands that there are problems with the legislation that it has before us today. When there is another piece of legislation that we oppose, we will stand up and speak our minds in the democratic way in which our electorate has given us that responsibility.

Likewise, the government will hear from us on education issues when it has made the wrong move. It will hear from us on environmental issues when its new Minister of the Environment fails to understand the full environmental assessment process or public involvement. The government will hear from us when it has maternity leave and some of the plans under the Minister of Labour that go beyond the range of what I think is common sense. It will hear from us on the auto insurance policy. That, indeed, will be a balanced opposition.

I just trust that the four points I want to make tonight on Bill 4, though some of them have been made before, are worthy of just emphasizing in these few moments that I have, because I know there are many others who still want to speak. We will be going until at least midnight and again tomorrow night until midnight, whether this or another one is the issue.

The first one is retroactivity. I just wish the Minister of Housing and Municipal Affairs was still here, but the Minister of Transportation is and he would remember this: How often did these cabinet ministers, when they were in opposition, support retroactive legislation? How often did they stand up and compliment the government when it came forward and say, "We're going to bring in this new law but it is retroactive to a date," some time before? I venture to say, though I have not dug out the illustrations, that they, like me and like the Liberals when they were in opposition, said: "Don't do things retroactively. Deal with the present and the future, but don't try to change things from the past."

What the government has done is go back on one of those fundamental things that it enjoyed criticizing members of other governments for when they were in charge, doing the same kind of thing now, doing something retroactively. It is a repressive, regressive, backward kind of move. Not only is it backward in putting the clock back, but they cause tremendous problems to the people who are involved in trying to interpret the law. Instead of having confidence in what they are doing, they are going to say, "I wonder what this government is going to do next?"

Let's face it. They have 25 ministries, they can start doing anything they want retroactively and there are not enough of us in this House to stop them because they have got the power, the number of seats to say, "If we want to do it, we'll do it." So they can have a new tax law that comes out when they bring their budget in next year. They can have some new plans in health care. They can do whatever they want retroactively, and that is wrong. It is wrong because it takes away the confidence of the whole of the province in saying, "We know where this government is going," because they do not know, and they do not know if what they are doing today is going to be legal and valid.

I believe that we should have another act passed here that says there will be no laws, bills or whatever passed in this Legislature that are retroactive, except I suppose these fellows will say that there will be something that comes along. I say nothing retroactive. They should make sure that they then live with the present and the people who are out there saying: "Well, the Ontario statutes are complicated enough. You don't have to come along and start second-guessing and saying, 'Well, this is what they're going to do.'" I think that when they start getting into retroactive laws they really cause a breakdown in trust, a breakdown in trust that will cause outside investors who are looking at investing in the province of Ontario to say: "Well, I'm going to think twice about it, as a company with money from outside the country. They did this."

One of their first pieces of legislation, number 4 on the list, is a retroactive piece of legislation. Why are they doing it? Why did they not instead say, "Okay, three months in the future, we will have this take effect," so that all those who have invested in their apartment buildings and their activities are not going to be impacted in a negative way. I have to say that I find this one of the most repulsive parts of this bill, to come along and say that effective 1 October, the day that the cabinet was sworn in, that is the day it is going to happen. What a day to remember their swearing in by. I am going to be swearing at them for choosing that as the date and so are the people in the province of Ontario who are coming along and saying, "Well, that's the day it happened." It is not fair and it is not right. What it does in the long and short term is cause great uncertainty for those people who like to do business in Ontario. What would they lose if they went and said, "Okay, effective 1 March or 1 January, or some day after we have had a chance to debate the bill more fully, that is the date it is going to take effect?"

I hope and pray that when this bill goes out for public hearings and public discussion, which I am going to help

make happen, there will be an opportunity for this government to rethink the whole issue of retroactivity. It is not a simple issue. It has far-reaching implications and it is something that should be reconsidered by the decision-makers around here. I know that the Premier likes to do all the public relations good things. Let him do something on this one—rethink the issue of retroactivity.

I am also very, very critical of the way this government has failed to have the big picture, the macro view of what this government is all about and what the province is all about. By making this one decision on whether or not a landlord can include improvements in rent increases, what they have done is cause a ripple effect that is still being felt across this province.

The one illustration—and I am not going to give many because the distinguished and outstanding member of our caucus who has become our Housing critic has done a tremendous job in outlining the platform that our party has discussed in our own caucus; the member for Dufferin-Peel has done that eloquently—is I had one constituent who was a plumber working in an apartment building in North York and he had four people working for him. They were going to be installing new sinks and then they were also going to be putting in a whole series of faucets for those sinks, plus valves for each apartment, so that, in other words, when the apartment building had to do any repairs in its plumbing, instead of having to turn off all the plumbing in the building, they would be able to have each apartment have its own service turned off separately and independently of the rest of the building.

2250

What do you think he ended up having to do? When this bill was declared—and I have it here today. It was announced on 28 November. On 29 November, my constituent received a phone call from the apartment owner, who said, "Stop work, take them off, cancel the order." He ended up cancelling the order for sinks and \$1,000 worth of valves and tax and laying off the four employees who worked for him in that apartment building. He laid them off because he had no work for them.

Mr Perruzza: Shame on him.

Mr Cousens: Did the member say, "Shame on him"? Is that what the honourable member indicated? He is not in his seat and he should not be speaking to it anyway and the Speaker should condemn him for that. But, for the lunacy of the member's thought of his being out of order by doing it, he had no choice. He had no money coming in to pay for it. And the lunacy comes from those guys opposite who have come along and forced him into that kind of action.

They are talking about the ripple effect of so many other small business people across the province who had to cancel jobs on 29 November because of the government's retroactive legislation. What that has caused is people being laid off. They are no longer working. They are apartment owners and they are not even going to be able to pay their rent because of the legislation that came in. Who are they protecting? They are not protecting anyone with that kind of legislation. They have got to have a sense of balance and the bigger picture, and what they

have done with this is cause a whole set of dynamics that have taken off across the province.

If the member wants to talk, he can talk when he has the chance, but he should be sitting in his own seat, and I hope the Speaker punishes him seriously for it. These fellows are new to the House; their comments are the same ones that we have heard before.

We need to have a total view of what business and prosperity are in the province of Ontario. Here we are into tough economic times, during what we are calling a recession. I hope we get out of it soon, but with this kind of decision the government is driving us deeper into the hole.

Interjection.

Mr Cousens: Yes, it is. And those four employees who are no longer working as plumbers—and I do not know what they are going to do for Christmas, or their families, or how they are going to buy their Christmas gifts or whatever they buy at this time of year—but I tell members, they have a real set of problems and those are the government's problems and my problems.

With the legislation, the government accelerated the downward curve in the history of its career, because now people are going to remember 29 November as the day they lost their jobs because the New Democratic government came in with a piece of legislation that was going to help the tenants. Well, I say it did not help a lot of other people.

When you start looking at the ripple effect of the sinks that got cancelled, that means the factory that no longer can produce them, the ripple effect on the faucets that are no longer needed and all other services that are part of it, I just have to say they have caused one set of problems.

What about the tenants in that very same apartment building? The landlord has decided to stop work in the middle of it. "Don't even repair the plaster." He has just left it unfinished, so the people in those apartments are going to be living with something that just was not as nice as it would have been. The improvements and changes that were being made by that were going to be helpful and good.

The big picture? This is a government that says—and I heard one of the previous members of the New Democratic government talking about some landlord gouging. If he has a problem, and if we have a problem in the province of Ontario with some landlords that are gouging the tenants, let's go after them. Let's find a way of making sure that they are not allowed to do that. But why paint every landlord with the same brush? That is not really fair, that is not right. If the government has got an isolated problem with a group of landlords, it should deal with them, and I will help it deal with them. But if it is going to come along and treat them all the same, as if they are guilty of a crime, then I believe it has misinterpreted its role as a government in trying to find balance and specific answers.

Government is a complicated business and I respect that. But I say the government should not come along and think it is solving the problem by taking a micro-picture when it should be taking a macro view and having the whole full view of it.

My third point, and I want to cut it short because I know others want to speak, is process. This government wanted to have this Bill 4 passed quickly before Christmas and then get it over and done with. No way. I just laud the efforts by our leader, the leader of the Ontario Progressive Conservative Party, who helped force that whole process. We will be standing in this House to make sure that this goes out for public hearings and that the government has to hear from the landlords and the tenants and the other people of this province who do not like what it is doing.

I will tell the House, it is a complicated bill. When you start reading it—and I was looking through it before I stood up to speak. Canada already has four times the number of lawyers for its population as does Japan. I think I am going to want my kids to go into law.

Mr Tilson: Careful.

Mr Cousens: The honourable member is also a lawyer and a very good one at times. But one almost has to be a lawyer to read this kind of bill. The tenants are not lawyers.

Interjection.

Mr Cousens: He is another lawyer. He should go out and just read his books. But here it is: "A tenant may apply to the minister in the prescribed form"—who all can read these prescribed forms?—"to dispute an intended rent increase that does not exceed the amount permitted under section 100c." So you go back to see what section 100c is all about. "No landlord shall increase the rent charged for a rental unit by more than the percentage permitted under subsection 71(1)..." It is not even in here, because you have to go back to the main bill. I really pity the poor tenants out there who have to try to interpret and understand this documentation that we get. Then if there is not further time for them to understand it, and the landlords and everyone else, is it any wonder that we have a problem with the process?

The process means the government should take time to discuss it properly, take time to do it right and put the quality into what it is doing as a government so that it does not just have to come along and ransack our pockets by virtue of having a quick decision. It should take the time to make sure, when it comes forward with legislation, that it is well thought out, that it is well balanced and that it has the total, broad, full picture. This does not. It is full of flaws and I will tell the members, when we come out for public hearings, which fortunately we are going to have, the government will begin to see that there is need for change and hopefully this government will make changes.

My last point is a point that was brought up earlier by the member for Mississauga South. She was speaking about the whole problem of slums that could begin to be a problem with our apartment buildings in Ontario by virtue of the fact that the landlords are going to be removing themselves from the proper maintenance procedures which are part and parcel of maintaining quality places for people to live. What we are really doing now with this kind of legislation is leaving that option open that we will have a Harlem somewhere and we will have apartments that begin to deteriorate.

What the government is also doing is saying to the landlords: "We really don't want you. We really don't want to work with you. We're going to sort of work in isolation from you." That is not the way good government works. Good government should be operating in co-operation with the tenants and the landlords, the whole public sector. By virtue of the process that the government has initiated here, it has turned a blind eye to that other group that is a large part of the solution, to the whole rental need that we have in the province of Ontario. The government has to work with the landlords. We want to get private enterprise to invest in more apartment buildings. It is not going to find it in Ontario and it is not going to find outside investors to invest in the province of Ontario with the attitude it is exhibiting with this.

The government should not try to do it just as a government. It should try to be one that involves the whole of society in the solution. If it does that, it will begin to do several things right. First, it will not do things retroactively; second, it will begin to get the big picture and it will consult with a wider group of people; and third, it will allow the due process of how it handles things in the future to involve a wide cross-section. It will allow public hearings and it will allow members of this Legislature to take the time to do it right.

I just have to tell members that this bill is full of problems and it is a bad example for this new government in beginning its tenure for the length of time that it might have as a government. I hope it will take the time now to reconsider it and will allow amendments to be made that will revise this bill to somehow address some of the concerns I have raised tonight.

Mr Mammoliti: I am confused again and I am concerned again. The member is taking the easy way out. He is blaming the NDP; he is blaming the government. If slums should happen to arise, it is the responsibility of the landlords to repair the units and to repair minor items in the buildings. It is the easy way out and, frankly, I take offence to that.

2300

Mrs Marland: I am not a landlord and at the moment I am not a tenant, but I have been a tenant. For most of the years that I have lived in Canada, I have been a tenant, and I would like to tell the member for Yorkview that if he would like to become a little better informed on this most critical issue to the people who depend on rental housing accommodation in this province, then he would not stand in this House tonight and say it is the responsibility of the landlord to repair minor problems. It is also, I say with respect, the responsibility of landlords to repair major problems.

The minor problems are not the issue. I am talking about major renovations. I am not going to use the far too often used example in this House, but when we are talking about major renovations that require a lot of money—maybe it is roofs and maybe it is parking garages so people can park their cars safely underground and even drive into those underground garages safely—we are talking about

thousands to millions of dollars, depending on the size of the building. That is the responsibility of the landlord.

How does the member for Yorkview expect landlords or anyone else in business to be able to afford to run their buildings as a business, keep them in good repair and maintain a standard of environment for those tenants unless they can have some appreciation on their money? Why would he expect them to invest their money?

Mr Martin: I have sat here for the last little while and listened to the various perspectives presented by the members across the way and listened to the fact that landlords were unable to make needed renovations and get an adequate return for their dollar in the market as it exists today, and I have listened to them speak about the free market system as perhaps being an answer to the homelessness that exists in this province at this time.

We in northern Ontario have watched the free market system at play in southern Ontario over the last five to 10 years and watched the cost of housing double, triple and quadruple over that period of time. We wonder at the problem of people in southern Ontario being able to make needed renovations at the price of housing as it now exists, while landlords in northern Ontario—who do not get near the return on their dollar that the folks in southern Ontario get—can actually afford to maintain their buildings, and we do not have near the number of people on the streets that you have here in southern Ontario in your so-called free market system.

Mr Ferguson: Unlike the member for Oriole, I have not had the privilege of being here five years. I have been here only five weeks and I want to say that I have very quickly learned—

Mr Callahan: On a point of order, Mr Speaker: I am speaking on behalf of my colleague in the third party. He was next in rotation, not a member from the NDP. They already had a member from the NDP.

The Speaker: Yes, well, in rotation—it is the Speaker's fault; hard to believe—it is the member for Dufferin-Peel. He yields the floor to the member for York Mills.

Mr Turnbull: I feel compelled to say, first of all, that I agree with everything the member for Markham said, and I would really like to make sure that the governing party understands what is in the existing legislation. They seem not to have ever read the legislation.

Under the existing legislation, there is an allowed amortization period for various works. Notwithstanding what they are saying about "Oh, they are supposed to put some money away," it is allowed and it is contemplated under the existing legislation that it should be a future cost and that the interest rate is included so that it is contemplated that you will go out and borrow the money and then you will amortize it. If the minister reads the legislation, there can be no doubt whatsoever as to that fact.

So much for all of his comments about it being the landlord's fault and all of this. Simply read the legislation and understand that the existing legislation allows a landlord to go out and borrow money for any work that has to be done and, depending on the work, he reads off a

table as to how long it will be amortized over. That is the correct answer. It is not subject to opinion. That is the legislation. If the minister can read the legislation, let him do so.

Mr Ferguson: I will try this once again. Unlike the member for Oriole, I have not had the pleasure of being here for the past five years. I have been here for only the past five weeks. However, I very quickly learned that it is not only a privilege and pleasure to be here, but sometimes it can be a real inconvenience as well.

I have learned one thing very quickly—and I think all new members are on a learning curve—that as a member of the government side you are very much a moving target. If on legislation like this you decide to pass some interim temporary measure in order to break the cycle of madness that has taken place surrounding this piece of legislation and then you go out and consult the people, you are criticized for passing legislation and then going out and talking to the people. We have been criticized for that.

However, if, on the other hand—and a prime example would be the auto insurance legislation—we go out and consult the people and then want to come back and bring in some legislation that is going to serve the residents of this province well, if we take that approach, we are criticized by the opposition parties. So this government very much is getting mixed messages from the other side.

Let me be very clear that the acid test in this legislation will not be the platitudes and the political rhetoric or how people vote. I think the acid test is going to be what is contained in the opposition members' Queen's Park Reports as they blow their bugles about how hard they have worked in this Legislature to get some fair legislation that is going to protect the tenants in this province. I think that will be the acid test of the legislation, not what is said here tonight. I would be very interested to receive a copy of everybody's Queen's Park Report as they do their tenant mailings in the next round.

Mr Cousens: I appreciate the comments by all honourable members but I just have to say to the last speaker, the member for Kitchener, that what happens here counts for a great deal. It counts for a great deal on the part of all our constituents that we are able to stand, speak our mind and hopefully carry a view that represents them. If we are not here to protect the tenants, then we should not be here, but if we are also here to protect the landlords and investment and the whole grand view of what our province is all about, and that is what we are talking about.

I take great pride in being able to stand here and, hopefully, give a perspective. If what the member really is trying to say is that we should not do that—and I do not think it really is, but I question where he is coming from if he is saying we should not be here to combat what his government is all about.

His government is coming through with a very unbalanced position. I believe that to do something retroactively is still wrong. I hope the member will stop and think about it. Enough members opposite are new to here that they might be able to have some impact on the Minister of Housing and on the Premier to bring back that as a point of

view that they would share with us, and that they might well also understand that there are other matters in this bill that will benefit from public dialogue and discussion.

If we are going to have good legislation in this province and the government thinks it can only do it by itself, then it is wrong. I think if there is a good opposition that is honestly trying to come forward with another perspective and another point of view, and out of that listen and work through the compromise that will work, then this can be a better province.

That is the way it has been in the past and I think it can mean a strong government in the future. That is where opposition has an important role to play. I want to play it fairly and honestly. I am prepared to laud the government and give it plaudits and compliments when it is right, but I also feel obliged to stand up and say what I believe.

I have said it tonight and I hope to have the opportunity to say it in the future, unless those guys come along and use some way to shut us up.

2310

Ms Haeck: I rise today to speak for the passage of this bill to amend the Residential Rent Regulation Act, 1986. This bill is necessary at this time in order to give all parties the opportunity of examining the whole rent review process. The process of a moratorium will allow tenants to experience relief from the crush of ever-increasing rents at a time of economic hardship. Over the next two years, landlords in turn will no doubt be taking advantage of the opportunity to present their viewpoints and concerns. As a government that values the input of all stakeholders, we welcome the chance to dialogue with all concerned parties.

It is absolutely necessary to provide the stakeholders with a level playing field. Some members opposite may disagree, but the members too must understand that the rental market has been in crisis for some years. Tenants felt that they were powerless and insecure about their housing needs without the intervention of such a piece of legislation. Even in a riding such as St Catharines-Brock, tenants have experienced exorbitant rent increases.

While there are landlords who are fair and concerned about the rent increases passed along to their tenants, tenants in my riding have been inflicted with 85% rent increases. We must remember the average working person, a person who cannot afford to buy a home in a market of high interest rates and unemployment. Renting is frequently the only option for those people, as well as for young couples, working families and our seniors on fixed incomes. Without this legislation, these people would be forced into further serious economic hardship. It is essential to pass this legislation.

In Metropolitan Toronto alone there are over 300,000 tenants, tenants who have let it be known that in this time of recession and creative financial deals they have in turn been made to suffer economic hardship. The real estate flips of a few years ago continue today. They continue without obstacle or control because they continue unchecked. There is a crucial and immediate need for this legislation and for all members of this House to pass it as quickly as possible.

This House has now heard comments from the opposition parties in which they have loudly expressed concern for the maintenance costs experienced by some landlords. Those remarks are nothing more than obfuscation—smoke and mirrors. When the opposition had the opportunity to firm up rent review legislation, it dropped the ball, missed the train, did not take up the challenge.

Rent review of one form or another has been in place for some 15 years. Where was that concern for the low-income families in this province? I can tell you, Mr Speaker, their concern created a massive complexity which has ensured huge profits for many landlords and banks and left tenants fearing the loss of their homes. This government was elected to help tenants.

We have brought forward legislation that will allow the tenants of this province secure housing. This government views housing as a right. I advocate that this House pass this legislation quickly to protect hundreds of thousands of tenants.

Mr Sola: The member for St Catharines-Brock said this bill was necessary to give every party a chance to review rent review and to give everybody a chance to dialogue with everyone. She wanted to level the playing field; she wanted to eliminate flips.

I wonder what the urgency of this bill is when, according to the records of her government, 8,000 units out of a total of 1.2 million are affected; 8,000 units go over 20%. In other words, 8,000 out of 1.2 million is the equivalent of one out of 150. Yet the same government has ignored the urgency of the unemployment situation.

I have here a Toronto Star headline that says, "NDP Misses Bill Deadline—Wage Fund Left in Limbo." The unemployment rate is 7.5% or more in this province, which means 10 times as great as the number of units affected by gougers or flippers in this province. They have allowed the chance to do something about the unemployed to slip through their hands because they will not be able to touch it until the spring, yet they have decided that this is of such urgency that they have to act on this now.

As far as levelling the playing field is concerned, what they have done is they have changed the rules. They have changed the rules of the game after the game has started. I have here before me a fax from my constituency office where a letter was hand-delivered from a person who is \$118,000 in debt playing according to the old rules. Right now he is in trouble with his bank.

The Speaker: Questions or comments, the member for Oakville—no? The member for Mississauga South.

Mrs Marland: I am sorry, Mr Speaker. When you said "Oakville," I was going to sit down and let the member for Oakville speak.

Very briefly, Mr Speaker, I would like to respond to the member for Kitchener indirectly through you. I know that in his comments he talked about going out and consulting with the people. I just would like to say that there has been enough going out and consulting with the people and I hope that this new NDP government will not follow the previous government and that is all that it does. It does not have to go out and consult with the people to ask them

whether or not there is a shortage of rental housing stock in this province. How much consulting do members think it takes? They should just read the papers and they will find out what the 1% and less than 1% in some parts of the greater Toronto area mean in terms of availability of rental housing stock that is affordable.

The government should not say that it has to go out and consult and, as one of the other members said earlier, this is a stopgap measure. None of those things is needed. We simply say to the government, if this is its way of governing, that it is going to follow the suit of what the people have had in this province for the last five years—one member mentioned auto insurance—\$4 million in reports that were simply filed in the round file. The people in this province are fed up with being asked their opinions and then ignored. They do not need to be asked any more. We know what the solutions are, we simply ask the government to act and stop consulting.

Mr White: I am a little confused. The member for Mississauga South indicates that her caucus is sick and tired of consulting, yet I listened attentively to the member for Markham—

Mr Jackson: You are the only one who did.

Mr White: Perhaps so.

The member very earnestly exhorted us not to have acted so precipitately. He said we should have spoken to and we should have consulted with those many excellent landlords in our community. I am not quite sure which of those members is representing the caucus but certainly we have an opportunity now with this bill going into effect of protecting landlords and having a period during which we can thoroughly work out a program that will be effective for all groups in our community. I hope that will meet both the opposing demands of the PC caucus.

2320

Ms Haeck: I have just a few comments. First and foremost, to the member opposite, the unemployment issue is one that I personally lay very much at the feet of our illustrious federal government, which as a result of something called the free trade agreement has fostered the loss of 250,000 jobs across this country and obviously is ensuring that the economic situation in this province is definitely on a downward slope. I would suggest that he pressure a few people in Ottawa to make sure that is improved.

Also, this government is on record—our Treasurer is not in the House at the moment but I know he is in this building. He has definitely put forward a plan to expend \$700 million over the next few years to make sure there is an active program of job creation. So I would suggest to the member opposite that this government is very much on record as regards improving the economy, definitely not to see it go any further into a recession.

Also, with the banking rules that presently exist and the kind of rent review legislation that his government allowed to be passed, they have allowed a lot of fancy real estate deals to go down. People with absolutely no proper financing to buy buildings get themselves into an economic quagmire and then decide to put their problem

on to the backs of a whole lot of undeserving tenants who in fact now find themselves made responsible for the landlords' problems. I do not think those people, found in a very unwitting state, should be made responsible for the lack of proper financing.

Mr Callahan: I have waited around the environs for two nights until midnight to have an opportunity to speak on this matter.

Let me say at the outset that I do not carry any brief for landlords who gouge. I do not think any of my colleagues do. I do not carry any brief for people who flip houses or apartment buildings. I think that is a common statement that would be made by any caring person. Those people prey on society.

In essence, what the New Democratic Party has done—and it probably considers that it is a popular item—is the same insane thing that the Prime Minister of this country has done at a time when the economic downturn is so significant that we are not in a recession but in a depression. In fact, he brings in this insane goods and services tax. The NDP in the same way is casting a net to catch 15% of the landlords and is going to punish the other 85% of the landlords.

They are going to destroy jobs. We have seen real people here demonstrating outside the Legislature. If the government thinks that thing was a setup, it is crazy. If they took a look at the combination of people there, there were workers, material men, landlords and tenants. Do they just dismiss that? Do they just ignore that? Do they say these people are all just a façade and acting out the program? They should just think about it.

They are trying to deal with an issue which involves 15% of the landlords. They are going out to catch a fish with a giant hook and in the meantime they are hooking 85% of the people. Many of these people are people who have invested their livelihood in it.

I will give an example. I received a letter from a soon-to-be constituent—or perhaps not, because of what has taken place here. These people are from Sudbury, and I am sure the member for Sudbury would be pleased to know that one of her constituents who was planning on retiring in the beautiful city of Brampton may well have to think twice about it. I want to read a few of the comments from it:

“Dear Mr Callahan:

“I am enclosing a copy of a letter we sent to Premier Bob Rae regarding his new rent control policy. We want you to know how we feel, because the building is located in Brampton.

“My husband and I purchased this building in 1987 with the intention to move to your city in a couple of years when he can retire from his construction job here in Sudbury.”

No millionaire.

“He is a handyman, able to do most repairs. The building is 26 years old with 66 units. There is plenty of work for him. We worked and saved hard all our life to have some financial security for our old age and won't have to depend on government handouts. Don't get me wrong, we are not greedy landlords. We did absorb a lot of repair

costs without asking for extra rent increases in the past three years."

There are many people who did that. We heard during the debate on the former government's bill that there were many people who cared about individuals, who liked their tenants and who did not even bother to get the increases that they were entitled to, and they fell behind. The government has destroyed those people, absolutely destroyed them.

She goes on to say:

"We don't know what is going to happen to it now. We weren't planning to ask for an increase in 1991. However, our elevator cannot be repaired without a major overhaul, which will cost us over \$50,000 in the next few months. The money has to come from somewhere. Present rents do not justify those kinds of expenses. We know that we can't recover this money instantly but over the several years to help us pay our loans. We would understand if Mr Rae wants to stop luxury renovations to raise rents and flipping the property."

So they agree with what I have said.

"Ours is a long-term investment. Now, we realize that it would be better for us if we had our money in savings bonds and collect interest. At least we would be getting something in return and no headaches. We don't know where you stand on this issue."

Well, I am telling members where I stand on this issue. I think these are real people in Ontario, real people whom the government is hurting and hurting significantly.

She states, and I believe it:

"Well, many landlords are just hardworking people who invested their hard-earned money in the properties here in Ontario. Now we are treated like criminals, being punished for our investment."

They go on to write to the Premier, who is the Premier of everyone in this province and not just the 15% who he says are gouging, or who the facts say are gouging, but the 85% who are honest landlords, who care about providing housing, affordable housing in many cases, to tenants. In fact, what the government is doing by its legislation is condemning them to death at the same time that it tries to kill the 15% who are gouging.

If they geared their bill in such a way that they were just dealing with the 15%, I would probably vote with them, because quite frankly I find that abhorrent. I think housing is a matter of right. As I said earlier today in the House, there are people sleeping on the streets, and we also have single parents who cannot find accommodation. Now what is going to happen when these people who are doing it for investment purposes decide it is not worth the game? They will just get rid of it or they will let it become run-down.

The government says on the one side of the coin that it is going to require these people to keep these buildings up, as is the case, and it is going to prosecute them if they do not. There are minimum maintenance bylaws in most municipalities. These people are required to keep these properties in good repair. How does the government expect them to do it? On the one hand it is chasing them out

of the investment they have got and on the other hand it is saying, "We're going to hammer you if you don't do it."

I suggest to the government that if it does not do it under the minimum maintenance bylaw, it can be done and added to the taxes. In fact, I suppose, they can get those repairs paid for through the back door by all the taxpayers of that community. I say that is not satisfactory.

The government is also breaching probably one of the oldest principles of English justice, that you do not expropriate, nor do you legislate retroactively. It is a principle of law that they may legislate retroactively for procedural matters but not for matters of property. They have in fact allowed these people to make their plans based on a system that was in place; then simply because a miraculous event occurred on whatever date that was and their government was elected, the roof suddenly caved in. That is exactly what is going to happen to these poor souls: the roof is going to cave in, the boiler is going to explode, other things such as elevators are going to have to be repaired, and the government has taken that right away from these people.

I do not know how they can sit there in such a self-righteous way and believe they are passing legislation that really has any true merit or any honesty. What they are doing is attempting to fulfil, probably for the first time, one of the items in their Agenda for People. Well, bravo. But I suggest they should look before they leap and make sure they are not destroying this province by doing it.

I suggest they are doing exactly the same thing as I said the Prime Minister is doing. In a time of very serious depression, they are killing jobs. They are perhaps putting a big dent in businesses, material people who might be supplying the goods to look after this particular building, and in fact they are doing it at a time when it should not be done. They should think about that.

The minister says it is for two years. Obviously even the minister realizes that perhaps a state of disaster may take place in two years, so he is giving himself the opportunity of being able to say, "Well, two years or less." I do not know anybody in his right mind who would plan an investment, particularly a retirement investment, if it has to be based on a whim or the length of the length of the Minister of Housing's foot. That is really what he is asking to happen.

2330

I think most people make their decisions based on plans that are in place and governments that pass legislation that allow them to look at them and decide what they should do in the future. By one stroke of the pen and by the vote on this by his government, the minister in fact has destroyed the plans, I would suggest, not just of this couple from Sudbury whose letter I have read, but of many more senior citizens, many people who have invested legitimately in housing to provide adequate housing. The minister is destroying the dreams of people who were fair and, as landlords, tried to play the game fairly, and he is doing that to get 15% of the landlords. That to me seems to be absolutely nonsense.

I worry. If the minister passes bills like this—in an effort to get the minority, he is going to punish the

majority—I wonder what he is going to do with his insurance bill; I wonder what he is going to do with any future legislation in this House. Is it always to be that if some of the people involved in the particular business make an exorbitant profit, he is suddenly going to decide, “That’s a bad thing and we’re going to destroy it”?

If that is what he is doing, then I think the people who voted for his government in the last election are going to find very quickly that they made a mistake, that they did not elect people who are democrats but people who are autocrats and who in fact really do not care about people.

I suggest that members take a good look at that before they vote for this bill.

As I said when I started, I do not carry a brief for landlords who cheat or perhaps look for exorbitant profits. I do not think that is the way this province or this country should be run. I would like some day for my children to be able to afford a house. Obviously, through some of the carryings-on with housing, the housing prices have gone through the roof.

In fact, the minister may be placing some of those homes that were owned by this older couple in Sudbury in the hands of those people who do exactly that because they will not be able to keep it up so it will fall into a power of sale and someone will buy it up. The minister is eliminating housing, I suggest, and he is putting more people on the street. He will not know that until he sees the fallout from this, and when the fallout comes it will not do us any good over here as the opposition to say, “We told you so,” because that does not get anybody into accommodations that they can afford overnight.

What do we say to these people as they call us up in our constituency offices and ask, “Where am I am going to sleep tonight, Mr Callahan?” I am going to say, “I don’t know.”

Mr Bisson: Oh, my God.

Mr Callahan: I do not know who the member is over there but he seems to think this is a very funny situation. Perhaps he should go and talk to his constituents about this. Does he have people living on the street up in—what is his riding?

Mr Bisson: Cochrane South.

Mr Callahan: Cochrane South. Maybe we will send a copy of Hansard up to the homeless in the member’s area and demonstrate how he was making light of the whole process while we are debating a very important issue in the House. But I suggest to him that his total approach is out of whack.

We have been questioning the Minister of Energy for at least the last two weeks and asking her what she is doing about living up to the promise that was made by the Premier on 10 August that he was going to set up a board to make certain that gasoline prices were monitored to avoid gouging. Now, in essence, what is he doing here? The Premier is jumping on to what he calls the free enterprise system, 15% of the landlords, and from what we have heard from the Minister of Energy in her answers to our questions during question period, the Premier has done

absolutely nothing to look after the gouging that is taking place in terms of gas prices.

How can they say on the one hand, “We’re going to let them get away with it—that’s free enterprise—but we will let them gouge and do nothing about it even though the Premier of this province promised it before the election,” and on the other side of the coin say, “Because these people, a small number of landlords, are gouging or purportedly gouging, we are now going to stamp out everything.”

I suggest that it is an inconsistent process—

Interruption.

Mr Callahan: Do you want peanuts or what?

Mrs Marland: I have a very nice member who is asking you to get on with it, and there is hardly any time left.

Mr Callahan: Oh, all right. A member has wandered up here—

Mrs Marland: I know you’re a fair member, and he’s been waiting for four nights, the same as you, to get on.

Mr Callahan: I am on Bill 4, am I not, Mr Speaker?

I think it would have been fairer if the Minister of Housing had said, “Here’s a ceiling.”

Mrs Marland: When he is finished, don’t use the two minutes, because it will only give him another chance, and my member has been waiting for four nights to get on.

Mr Callahan: It must be late at night, Mr Speaker. I am hearing voices.

It would have been fairer if the Minister of Housing had said: “Okay. There will be something there for capital expenditures. It will be a minimal ceiling.” He did not do that much. But the members in the government opposite will say: “That’s what rent is for. Rent is to pay for these unexpected capital renovations.”

In other words, if the roof falls in, then you are supposed to pay for that out of your retained earnings from rents. That is absolute nonsense. If the boiler blows up or goes on the fritz, you are supposed to pay for that out of rent. Let’s say the landlord does not have the rental payments to pay for the boiler to have it fixed. Does that mean all the tenants are supposed to freeze because the Minister of Housing has said he cannot spend capital funds to fix that boiler? If the roof caves in, does that mean they have to live with permanent air-conditioning throughout the entire winter, that it cannot be fixed because the rental payments are supposed to be for that purpose?

That seems absolute nonsense, and yet that is the essence of what that government over there is saying in terms of the legislation it is bringing forward. That does not make a lot of sense to me. I am sure it does not make a lot of sense to the small landlords such as the people I have referred to from Sudbury. I have many letters like this from small landlords who have invested their funds in building housing.

My colleague the member for Ottawa West also indicated he had numerous letters to read and was not going to read them because he wanted to give other members the opportunity to speak. That being the case, I will not go

into—I may go into the letters if the member who is staring at me at the moment—go sit down, Margaret; I will be finished—

[Laughter]

Mr Callahan: I want to make the announcement, Mr Speaker—

Interjections.

The Speaker: It would certainly be appreciated if the member for Brampton South could be given the courtesy of quiet and, secondly, if the member for Brampton South would direct his remarks to the Chair.

Mr Callahan: I will do that, Mr Speaker. It is my fault. I should not have digressed.

In fairness to the people who wish to speak to this matter, I am not going to prevent them from doing that. But I want to say finally, as Sam would say—and I occupy Sam's seat—the government does this in cabinet, in vacuum. Did it ever ask members in caucus what their feelings are about this? Did it ever ask them? Does it? Did it ever tell them? How many are in their caucus? That caucus room is jammed to the rafters; they are shoulder to shoulder and all that stuff. The members never get asked. The cabinet comes in and tells the members what is in the bill. Then it tells them to come into the House, and the whip keeps them in order and makes them applaud when things are said. They support legislation which some members have probably not even read. Some of them have probably not read it.

The opportunity for them to make history and to be able to go home tonight with a good feeling and feel that they have done a service for the people of this province is to stand up and be counted. They should not be like a bunch of sheep led to slaughter. They should not let the Minister of Housing take them to the slaughter, because in two years' time, when the roof collapses and the boiler blows up and the housing is gone, they are the people—all of them, each and every one of them—who will have to go back to their ridings and account for that. I suggest that they will have grave difficulty.

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Mr Sutherland: I am sorry that the member for Brampton South is so upset that his former leader led his party to the slaughter, but we do not believe that our leader or our Minister of Housing is going to lead us to any slaughter.

Mr Hayes: Very briefly, I just want to tell the member for Brampton South that he has this bleeding heart about these great landlords that he knows out there. We do not disagree; there are some good ones and some bad ones. But I just want to tell the member that one of the landlords was in my office the other day here in Toronto. He is a developer, residential and commercial, across this province. Does the member know what he said to me? He said, "Your party is doing the right thing with this bill, because I have a friend who has an apartment building with 100 units in it and he is going to put in 100 new fridges and 100 new stoves." The developer said, "Well, if that was your money, if you weren't able to gouge the

tenants, you wouldn't do it." And his friend said, "That's right." So the member should think about that.

Mr Sola: I would just like to point out some of the real people who are involved in this. From the Saturday Sun, 15 December 1990, an ad: "Thank you, Mr Rae! Your proposed rent control law may have saved me \$25 per month on rent. Unfortunately, as a direct result of this act, I just lost my job." It is signed by John Welsh, Pat O'-Flaherty, Steve Olmstead, Bill McPhee, Ernie Lancuso, Mike Shuster, Jose Louis Sousa, former employers of RAM Restoration Inc and seven of the first victims of the new rent control laws. That shows some of the real people who are involved with this bill, just to corroborate what my colleague the member for Brampton South has said.

Also, I have one of these wicked landlords who says:

"Our building is 22 years old. We hired an expert consultant...and borrowed \$118,000 at interest rate of 15 3/4%.... We did everything according to the rules and regulations of the government and application was approved and all work was completed before the end of September 1990. We did not install any luxury items.... Unfortunately, I did create financial problems for my corporation and I am in problems with" the bank. I did not want to name the person because this was hand-delivered to my office. I did not clear it with him to put his name on the record, but these are real people. I am having a meeting with this person on Friday to see what can be done. This just corroborates the story that the member for Brampton South has said, that real people are involved, both as tenants and as landlords, because on the one hand they are losing jobs; on the other hand, they are being bankrupted.

Mr White: I will be brief. I am struck that the member for Mississauga East is talking about job losses from legislation which, although retroactive, has not taken effect yet. This sounds like a retroactive job loss. "You're fired backwards." The member for Markham, whose speech I did listen to, was incensed about retroactive legislation, but it has not gone into effect yet. But the job losses have. The landlords are firing people prematurely.

Mr Callahan: All I want is one second to say Merry Christmas to everybody. Have a great Christmas and a happy new year.

Mr J. Wilson: I want to thank the member for Brampton South for being so to the point and short in his remarks so that I would have the opportunity to give a speech this evening, which I have been waiting to give for some two weeks, I guess.

I welcome the opportunity to join the debate this evening concerning rent controls. While the importance of rental housing cannot be disputed, the government's response to the problem suggests that this province may be in more trouble than at any point during the previous five years of Liberal mismanagement. When the Minister of Housing rose in this chamber and announced a two-year moratorium on the provisions of the existing rent review system, he sent a profound message to all Ontarians who hoped this government would move the province out of a deepening recession. What the minister has accomplished with this moratorium is to sentence Ontario to an even

deeper recession. But in time the public will see through this shortsighted populist path towards permanent rent controls.

Hope will rapidly turn to despair because, with the announcement, the minister has stated that, first, the NDP has no desire to manage with the interests of all Ontarians in mind and, second, the NDP has a limited grasp of economic concerns and no idea of how to restore this province to a sound economic footing. The sounds that I hear echoing in the background of the Minister of Housing's announcement are the tug of nails being pulled from boards, ladders being strapped on to trucks and paint cans clanging as workers beat a hasty retreat from jobs half done.

What the minister has done is to have effectively silenced the renovations industry and slammed the door shut on future investment in this province. In sweeping the NDP to power on 6 September, the voters of this province were not embracing a socialist prescription to cure what is eating away at Ontario. They voted for a government that could respond with sensitivity to all Ontarians. In one of its first major decisions, what does this government do? It thrusts a socialist solution on to the backs of all Ontarians, a solution that will cost taxpayers millions of dollars to fill the vacuum of rental stock created when private investors stumble all over themselves in their haste to leave the province.

I ask the government to tell this House how it plans to offset the economic loss to this province when \$533 million of repair work is summarily halted in the wake of the moratorium. What employment opportunities are available for the thousands of contractors left jobless as the result of the minister's moratorium, and what guarantees are there for tenants that repairs will be undertaken swiftly and in more than just a patchwork fashion? The decision to impose a moratorium and introduce rent controls at a later date is both discriminatory and destructive. Not only are rent controls a simplistic response to a complex problem, but the timing of this announcement flies in the face of logic. With a dark cloud hovering over Ontario's investment climate, the minister's announcement will only serve to hasten and prolong this economic storm.

It is difficult for Rad Whitehead, a constituent of mine who owns an apartment building on Second Street in Collingwood, to believe this new government has credibility with all Ontarians. In the last six years, Mr Whitehead has sunk over \$300,000 into his building. His return on this sizeable investment is \$3,300. I think even Karl Marx would have difficulty painting a picture of capitalist exploitation with this paltry profit margin.

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But if Marx were alive today, he would recognize the errors of his ways and realize that socialized housing does not work, witnessed by the fact that countries that have it are trying to get rid of it. Where is the comfort or dignity for tenants in being clustered in block houses or slums? Eventually, that will be the benefit that most tenants derive from rent controls. But there is more to the Rad Whitehead story, as I am sure there is with many other landlords who own buildings in this province.

How is Mr Whitehead supposed to recoup the \$50,000 in repairs he recently laid out to upgrade his building? He applied for this rent increase on 30 June because the Ministry of Housing instructed him to undertake his repairs first and apply for a rent increase later.

The new government is telling us that it has seen the enemy and it is landlords. What they are doing is holding up landlords as a scapegoat for their own and the previous government's failure to come to terms with the rental crisis in this province. Does the minister's moratorium, announced as compassionate legislation for tenants, contain any mechanism of compassion for landlords who applied for increases and invested thousands of dollars in the belief that under the current rent review system they should repair first and seek permission to increase rents later?

Mr Whitehead is asking himself, as are landlords across this province, why enact this moratorium immediately? Where was the consultation, and at the very least, why not give landlords two years of lead time to adjust to a system of rent controls if the government is so determined to implement them?

The real solution to the rental crisis has been begged by this government. Although ideologically this solution may be uncomfortable for my New Democratic colleagues, the answer lies with the private sector. If the government is to play a role, it is to ensure that the private sector is provided with incentives to invest in the rental market. Rent controls act as disincentives. They do nothing to bring down the high cost of rent and they will proceed to suffocate the low levels of vacancies currently on the market.

This government, in a manner befitting the Great Train Robbery, has served to devalue Mr Whitehead's building by about 25%. Contrary to what the NDP government would have tenants believe, rent controls will not come to the rescue of tenants. What they will do is guarantee that the citizens of this province who cannot afford to purchase a home will have an impossible time finding a place to rent. Under the current rent review system, the province's rental stock has been depleted dramatically. It is risky to invest during the best of conditions, but it is suicidal to invest in a climate where investors can have their equity stolen from under them.

The effect of the new rent control system will be to eliminate the private sector from finding solutions to the vacancy crisis that has plagued southern Ontario under rent review. Not only will this crisis worsen, but the renewal of rental stock will be solely the responsibility of the Ontario government. As taxpayers, we can look forward to the government placing its hands deeper into our pockets to construct rental stock.

Perhaps I can provide this House and the taxpayers of Ontario with an example of what they can expect in the wake of rent controls and rabid socialism. This government, in all its infinite wisdom, decided to construct non-profit housing in the town of Alliston Homes Now program. The total cost to build 56 units is to be \$7 million. This equates to \$125,000 per unit, or a staggering \$50,000 above the local average price to buy a similar unit that is being built by the private sector free of government

intervention. The end result would be taxpayers subsidizing the difference to the tune of \$50,000 per unit.

At the end of the day, if all we have left is rent controls, the private sector will stop building and the government will be forced to rely on rental units that are built through huge amounts of taxpayers' money under programs like the one I have just described.

The Homes Now program is another glaring example of how this government and the Liberal government which preceded it are out of touch with the average person on the street. Not only has the Homes Now program not fulfilled its mandate to create a large number of non-profit housing units, but when it does create them, it does so at a ludicrous expense to the taxpayers. This again comes as no surprise to the people of Ontario, who have become accustomed to government spending without any realization or concern for market prices. Instead, cost is subordinated to political expediency.

With the announcement of the Minister of Housing, we stand at the edge of our embattled economy. After the announcement, the United Tenants of Ontario stated, "Tenants of Ontario voted for change and this is a good start." I ask the tenants of Ontario to think again. Layoffs to all sectors of the economy are mounting and the announced moratorium will only compound this vast social and economic problem.

Rent controls have dealt a mortal wound to the renovations industry at the worst possible time. This guarantees that the lineups to collect unemployment insurance and welfare assistance will continue to grow. It will also help to keep us in a recession for a longer period of time.

Not long after the final words had escaped from the Minister of Housing's mouth were staff at businesses that supply contractors being told not to bother to come to work the next day. Their prospects for returning to work in the face of rent controls are slim at best.

Rent controls will strangle an already depleted rental stock and, in so doing, will not assist the 360,000 tenant

households that currently spend in excess of 30% of their income on rent. It offers nothing for the 40,000 families who are on waiting lists for subsidized housing.

Rent controls and the announced moratorium will ensure that our precariously high bankruptcy rate will escalate. Where is the NDP compassion for apartment owners who have borrowed money to finance renovations only to be told later they cannot recoup their losses? Not only does this shame the capitalist work ethic that helped build this great society, but it violates the right of individuals to work hard and make an honest living. We are not dealing with strict profit margins here. We are dealing with fundamental principles that underline our society.

Rent controls will extinguish hundreds of millions of dollars in repair work that would normally help to fuel our economy. There can be only one result, and that will be diminished quality of life for all Ontarians. Rent controls will not solve the problems of housing in this province but will exacerbate them.

This government has demonstrated that it would rather govern by polls and do what is popular than balance the interest of all Ontarians. Members of the NDP caucus must awaken to the fact that they are now on the other side of the House. The decision to place a moratorium over rent review indicates fundamentally that this government's commitment to consult widely before acting has all been a sham.

Once again, political rhetoric has replaced the people's desire to be consulted, and in turn, we are all the losers. I am afraid in the next four years we will all reap the consequences of this government's myopic decision to place a hasty moratorium and move towards rent controls. I sincerely hope the process whereby the government arrived at this decision is not typical of how it will proceed over the next four years.

On motion by Mr Cooke, the debate was adjourned.

The House adjourned at 2358.

ALPHABETICAL LIST OF MEMBERS
(130 seats)

First Session, 35th Parliament

Lieutenant Governor: Hon Lincoln M. Alexander, PC, QC

Name of member	Constituency	Party	Other responsibilities
Abel, Donald	Wentworth North	NDP	
Akande, Hon Zanana L.	St Andrew-St Patrick	NDP	Minister of Community and Social Services
Allen, Hon Richard	Hamilton West	NDP	Minister of Colleges and Universities, Minister of Skills Development
Arnott, Ted	Wellington	PC	
Beer, Charles	York North	Lib	
Bisson, Gilles	Cochrane South	NDP	Parliamentary assistant to the Minister of Mines, parliamentary assistant to the Minister of Northern Development
Boyd, Hon Marion	London Centre	NDP	Minister of Education
Bradley, James J.	St Catharines	Lib	
Brown, Michael A.	Algoma-Manitoulin	Lib	
Buchanan, Hon Elmer	Hastings-Peterborough	NDP	Minister of Agriculture and Food
Callahan, Robert V.	Brampton South	Lib	
Caplan, Elinor	Oriole	Lib	
Carr, Gary	Oakville South	PC	
Carter, Hon Jenny	Peterborough	NDP	Minister of Energy
Charlton, Brian A.	Hamilton Mountain	NDP	Parliamentary assistant to the Minister of Energy
Chiarelli, Robert	Ottawa West	Lib	
Christopherson, David	Hamilton Centre	NDP	Parliamentary assistant to the Minister of Economics
Churley, Marilyn	Riverdale	NDP	Parliamentary assistant to the Minister of the Environment
Cleary, John C.	Cornwall	Lib	
Conway, Sean G.	Renfrew North	Lib	
Cooke, Hon David S.	Windsor-Riverside	NDP	Minister of Housing, Minister of Municipal Affairs
Cooper, Mike	Kitchener-Wilmot	NDP	
Coppen, Hon Shirley	Niagara South	NDP	Minister without Portfolio, Chief government whip
Cordiano, Joseph	Lawrence	Lib	
Cousens, W. Donald	Markham	PC	
Cunningham, Dianne E.	London North	PC	Chief whip
Curling, Alvin	Scarborough North	Lib	
Dadamo, George	Windsor-Sandwich	NDP	Parliamentary assistant to the Minister of Transportation
Daigeler, Hans	Nepean	Lib	
Drainville, Dennis	Victoria-Haliburton	NDP	Parliamentary assistant to the Minister of Citizenship
Duignan, Noel	Halton North	NDP	
Elston, Murray J.	Bruce	Lib	House leader
Eves, Ernie L.	Parry Sound	PC	House leader
Farnan, Hon Mike	Cambridge	NDP	Solicitor General, Minister of Correctional Services, minister responsible for the provincial anti-drug strategy
Fawcett, Joan M.	Northumberland	Lib	
Ferguson, Will	Kitchener	NDP	Parliamentary assistant to the Minister of Municipal Affairs
Fletcher, Derek	Guelph	NDP	Parliamentary assistant to the Minister of Consumer and Commercial Relations
Frankford, Robert	Scarborough East	NDP	Parliamentary assistant to the Minister of Health
Gigantes, Hon Evelyn	Ottawa Centre	NDP	Minister of Health
Grandmaitre, Bernard	Ottawa East	Lib	
Grier, Hon Ruth A.	Etobicoke-Lakeshore	NDP	Minister of the Environment
Haeck, Christel	St Catharines-Brock	NDP	Parliamentary assistant to the Minister of Colleges and Universities
Hampton, Hon Howard	Rainy River	NDP	Attorney General
Hansen, Ron	Lincoln	NDP	

Name of member	Constituency	Party	Other responsibilities
Harnick, Charles	Willowdale	PC	
Harrington, Margaret H.	Niagara Falls	NDP	Parliamentary assistant to the Minister of Housing
Harris, Michael D.	Nipissing	PC	Leader of the Progressive Conservative Party
Haslam, Karen	Perth	NDP	First Deputy Chair of the Committee of the Whole House
Hayes, Pat	Essex-Kent	NDP	Parliamentary assistant to the Minister of Agriculture and Food
Henderson, D. James	Etobicoke-Humber	Lib	
Hope, Randy R.	Chatham-Kent	NDP	Parliamentary assistant to the Minister of Community and Social Services
Huget, Bob	Sarnia	NDP	
Jackson, Cameron	Burlington South	PC	
Jamison, Norman	Norfolk	NDP	Parliamentary assistant to the Minister of Industry, Trade and Technology
Johnson, Paul R.	Prince Edward-Lennox-South Hastings	NDP	Parliamentary assistant to the Chairman of the Management Board of Cabinet
Jordan, Leo	Lanark-Renfrew	PC	
Klopp, Paul	Huron	NDP	Parliamentary assistant to the Minister of Agriculture and Food
Kormos, Hon Peter	Welland-Thorold	NDP	Minister of Consumer and Commercial Relations, Minister of Financial Institutions
Kwinter, Monte	Wilson Heights	Lib	
Lankin, Hon Frances	Beaches-Woodbine	NDP	Minister of Government Services, Chairman of the Management Board of Cabinet
Laughren, Hon Floyd	Nickel Belt	NDP	Deputy Premier, Treasurer of Ontario and Minister of Economics
Lessard, Wayne	Windsor-Walkerville	NDP	Parliamentary assistant to the Minister of Financial Institutions
MacKenzie, Hon Bob	Hamilton East	NDP	Minister of Labour
MacKinnon, Ellen	Lambton	NDP	
Mahoney, Steven W.	Mississauga West	Lib	Chief whip
Malkowski, Gary	York East	NDP	Parliamentary assistant to the Minister of Citizenship
Mammoliti, George	Yorkview	NDP	Parliamentary assistant to the minister responsible for the provincial anti-drug strategy
Mancini, Remo	Essex South	Lib	
Marchese, Hon Rosario	Fort York	NDP	Minister of Culture and Communications
Marland, Margaret	Mississauga South	PC	
Martel, Hon Shelley	Sudbury East	NDP	Minister of Northern Development, government House leader
Martin, Tony	Sault Ste Marie	NDP	Parliamentary assistant to the Minister of Education
Mathysen, Irene	Middlesex	NDP	
McClelland, Carman	Brampton North	Lib	
McGuinty, Dalton	Ottawa South	Lib	
McLean, Allan K.	Simcoe East	PC	
McLeod, Lyn	Fort William	Lib	
Miclash, Frank	Kenora	Lib	
Mills, Gordon	Durham East	NDP	Parliamentary assistant to the Solicitor General
Morin, Gilles E.	Carleton East	Lib	Deputy Speaker, Chair of the Committee of the Whole House
Morrow, Mark	Wentworth East	NDP	
Murdoch, Bill	Grey	PC	
Murdock, Sharon	Sudbury	NDP	Parliamentary assistant to the Minister of Labour
Nixon, Robert F.	Brant-Haldimand	Lib	Leader of the Official Opposition
North, Hon Peter	Elgin	NDP	Minister of Tourism and Recreation
O'Connor, Lawrence	Durham-York	NDP	Parliamentary assistant to the Minister of the Environment
Offer, Steven	Mississauga North	Lib	
O'Neil, Hugh P.	Quinte	Lib	
O'Neill, Yvonne	Ottawa Rideau	Lib	
Owens, Stephen	Scarborough Centre	NDP	
Perruzza, Anthony	Downsview	NDP	Parliamentary assistant to the Minister of Revenue
Philip, Hon Ed	Etobicoke-Rexdale	NDP	Minister of Transportation

Name of member	Constituency	Party	Other responsibilities
Phillips, Gerry	Scarborough-Agincourt	Lib	
Pilkey, Hon Allan	Oshawa	NDP	Minister of Industry, Trade and Technology
Poirier, Jean	Prescott and Russell	Lib	
Poole, Dianne	Eglinton	Lib	
Pouliot, Hon Gilles	Lake Nipigon	NDP	Minister of Mines, minister responsible for francophone affairs
Rae, Hon Bob	York South	NDP	Premier, Minister of Intergovernmental Affairs
Ramsay, David	Timiskaming	Lib	
Rizzo, Tony	Oakwood	Ind	
Runciman, Robert W.	Leeds-Grenville	PC	
Ruprecht, Tony	Parkdale	Lib	
Scott, Ian G.	St George-St David	Lib	
Silipo, Tony	Dovercourt	NDP	
Sola, John	Mississauga East	Lib	
Sorbara, Gregory S.	York Centre	Lib	
Sterling, Norman W.	Carleton	PC	
Stockwell, Chris	Etobicoke West	PC	
Sullivan, Barbara	Halton Centre	Lib	
Sutherland, Kimble	Oxford	NDP	
Swarbrick, Hon Anne	Scarborough West	NDP	Minister without Portfolio responsible for women's issues
Tilson, David	Dufferin-Peel	PC	
Turnbull, David	York Mills	PC	
Villeneuve, Noble	Stormont, Dundas and Glengarry	PC	Second Deputy Chair of the Committee of the Whole House
Ward, Brad	Brantford	NDP	Parliamentary assistant to the Minister of Skills Development
Ward, Margery	Don Mills	NDP	Parliamentary assistant to the Minister of Government Services
Wark-Martyn, Hon Shelley	Port Arthur	NDP	Minister of Revenue
Warner, Hon David	Scarborough-Ellesmere	NDP	Speaker
Waters, Daniel	Muskoka-Georgian Bay	NDP	Parliamentary assistant to the Minister of Tourism and Recreation
Wessenger, Paul	Simcoe Centre	NDP	Parliamentary assistant to the Attorney General
White, Drummond	Durham Centre	NDP	
Wildman, Hon Bud	Algoma	NDP	Minister of Natural Resources, minister responsible for native affairs
Wilson, Fred	Frontenac-Addington	NDP	Parliamentary assistant to the Minister of Correctional Services
Wilson, Gary	Kingston and The Islands	NDP	Parliamentary assistant to the Minister of Culture and Communications
Wilson, Jim	Simcoe West	PC	
Winninger, David	London South	NDP	Parliamentary assistant to the minister responsible for native affairs
Wiseman, Jim	Durham West	NDP	
Witmer, Elizabeth	Waterloo North	PC	
Wood, Len	Cochrane North	NDP	Parliamentary assistant to the Minister of Natural Resources
Ziemba, Hon Elaine	High Park-Swansea	NDP	Minister of Citizenship, minister responsible for disabled persons, minister responsible for the Ontario Human Rights Commission, minister responsible for race relations, minister responsible for senior citizens' affairs

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First Session, 35th Parliament

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Tuesday 18 December 1990

Assemblée législative de l'Ontario

Première session, 35^e législature

Journal des débats (Hansard)

Le mardi 18 décembre 1990



Speaker
Honourable David Warner

Clerk
Claude L. DesRosiers

Président
L'honorable David Warner

Greffier
Claude L. DesRosiers

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LEGISLATIVE ASSEMBLY OF ONTARIO

Tuesday 18 December 1990

The House met at 1330.

Prayers.

MEMBERS' STATEMENTS

FINANCIAL INSTITUTIONS

Mr Chiarelli: Ontario is sadly disappointed by the performance of the Minister of Financial Institutions and Minister of Consumer and Commercial Relations.

Over the past session, what have we seen in the way of needed legislative protection and reform from this minister? Diddly-squat. Zero. What have we seen for the 40,000 people whose uncertain future livelihood will hinge on his Utopian pie-in-the-sky scheme for driver-owned auto insurance? Nothing. What have we seen in the way of protecting Ontario's savings and loan industry in the wake of federal reform? Nothing. What have we seen in the area of safeguards for financial consumers in the wake of a collapsing real estate market and loose control of mortgage brokers? Nothing. On pension reform? Nothing.

Given unprecedented losses and layoffs of over 2,000 jobs in the securities industry, what have we seen to address the uncertain status of the Ontario Securities Commission? Nothing.

Despite the recession and mounting job losses across the province, not once has the minister stood in this House to announce a program, make a statement or introduce a bill to alleviate some of the uncertainty and increase protections for consumers and investors alike in these volatile economic times.

Has the Premier dispatched his cowboy minister out on to the range, never to be heard from again?

GO TRANSIT

Mr Tilson: My constituency, Dufferin-Peel, is one of the fastest-growing areas within and immediately adjacent to the greater Toronto area. Our area has experienced a huge increase in the number of people who travel to and from work daily. Orangeville alone, with a population of just under 20,000, is estimated to have some 5,000 commuters. But unlike most growing communities in and around the GTA, western Caledon and Orangeville lack GO Transit service.

The Ministry of Transportation has studied the possibility of extending GO bus service to Orangeville and found that such a service was justified. Caledon and Orangeville town councils have both passed resolutions calling on the province to institute GO. In the end, the former Liberal government took a position that as long as a private carrier was prepared to provide some sort of service to these communities, GO would not. The fact that the existing service is in no way comparable to what GO Transit could offer did not seem to matter to the former administration. Recently the chair of GO took exactly the same position, proving, I suppose, that the tail still wags the dog no matter who is in office.

The commuters of Dufferin-Peel deserve to have a reliable, efficient, frequent and fair integrated commuter service. In short, we need GO Transit service in Dufferin-Peel.

PAUL SYME

Mr Martin: Today I would like to extend my congratulations to one of Sault Ste Marie's outstanding citizens, Dr Paul Syme. Yesterday I had the honour and the privilege to witness Dr Syme receive the prestigious Corps d'élite award bestowed upon him by the Lieutenant Governor of Ontario.

Dr Paul Syme is a visionary whose concepts have benefited hikers and conservationists throughout Canada. He founded the Voyageur Trail Association in 1972 and continues to wholeheartedly support the organization, of which he was president from 1974 to 1984. He was also an active promoter in forming Hike Ontario. Dr Syme's work with the National Trail Association of Canada established a national footpath from coast to coast.

His outstanding voluntary and professional contributions to the development of recreation and conservation to the community of Sault Ste Marie, to Ontario and to Canada as a whole are both noble and important. Last year the Sault Ste Marie Region Conservation Authority honoured Dr Syme with the 1989 Conservation Award in recognition of his dedication and commitment to conservation and to recreation.

In sum, I would like to commend Dr Syme for his insight, an insight which has helped us to enjoy and preserve our natural habitat. Most importantly, we give recognition of his work in keeping with the global idea of conservation and the protection of our environment, and for this he must truly be praised.

SMALL CLAIMS COURT

Mr Daigeler: Across the province people have been waiting anxiously to see the Small Claims Court limit raised at least to the Toronto level of \$3,000. The previous government was planning to introduce this change by Christmas. We are now told by a spokesperson in the Attorney General's office that this plan has been put on indefinite hold. People in eastern Ontario and elsewhere are tired of waiting for benefits that have been available to Toronto residents for years.

In the throne speech, the NDP government promised to support groups and individuals that were without full access to government and its institutions. I myself have had several constituents in my office urging me to speed up court reform that would help them pursue justice themselves without having to rely on the expensive services of lawyers. Why, I ask, is the government shying away from helping small business people and others who do not have the financial resources to fight lengthy court battles?

The NDP's stalling on Small Claims Court reform is another example of this government's broken election

promises. I urge the Attorney General to raise the small claims limit to the Toronto ceiling before the House resumes in March.

WASTE MANAGEMENT

Mr Cousens: This morning Pollution Probe held a press conference outlining its concerns with municipalities exporting their garbage. They highlighted Metropolitan Toronto's deal with Kirkland Lake as a prime example.

We have tried unsuccessfully to find out from the Minister of the Environment the details surrounding this deal. However, the problems we now face are much greater than any one particular waste agreement. The minister has time and time again expressed unquestioned faith in her so-called waste management plan. We have been asked to have confidence in her government's plans to enhance reduction, reuse and recycling initiatives across the province. But where is this plan? How is the minister going to achieve these goals? What are the incentives? Where is the legislation?

No one disputes the integrity of this minister, but as we speak, garbage continues to mount. The minister's response to securing a long-term landfill site for the greater Toronto area has been to refer constantly to her waste management authority. Our difficulty arises in having faith in an authority that has not yet even been created. We have no criteria, no mandate and no members, and until we have more direction from the Environment minister, we have no solution.

1340

GOVERNMENT POLICIES

Mr Bradley: I want to speak to the Legislature today in a very positive light about the new government. I want to compliment the government on three specific initiatives it has embarked upon since the beginning. These are initiatives which were begun by the Liberal government and carried through by the present government. For that they deserve to be complimented.

The first is the awarding of the contract for the Pelee Island ferry to Port Weller Dry Docks in St Catharines. When the previous government directed that there be negotiations with Port Weller Dry Docks for the purpose of this construction, we recognized that we were down to about 30 jobs at that particular facility. Now, as a result of this contract, there will be some 175 to 200 jobs. We are pleased with that.

The second is that the government has announced that the Ministry of Transportation is indeed going to move to St Catharines. The previous Minister of Government Services, Chris Ward, made that announcement originally. I am pleased that the new Minister of Government Services was prepared to follow through on that announcement and say that it in fact would be moving to St Catharines—again, something positive for our community.

Third, the former Minister of Housing and Minister of Municipal Affairs, the Honourable John Sweeney, announced that action would be taken in the field of the last will and testament, which was being used for the purposes of dividing farm land up, circumventing the presenting

planning laws in the Niagara region. I want to compliment the new Minister of Municipal Affairs and Minister of Housing for following through on that initiative of Mr Sweeney's and ensuring that good agricultural land is not lost through that provision.

GREG SCOTT

Mr B. Murdoch: I would like to bring to the attention of the House an act of bravery performed by one of my constituents.

Greg Scott of Owen Sound is a member of the Owen Sound ambulance service at Station Beach in Kincardine who volunteers with the Inter-Township Fire Department in my riding on his days off. Two years ago he received a distress call telling him that a group of swimmers was in danger in a severe undertow in Lake Huron. This valiant young man, with a team of others, swam out more than once, fighting the strong waves to save the swimmers.

This selfless act of courage was rewarded by a Medal of Bravery recently presented by the Governor General at a ceremony in Ottawa. I would like to congratulate Greg for receiving this honour and to thank him for his compassion and his devotion to his fellow man.

STUDENT LETTERS ON THE GULF CRISIS

Ms Haslam: I really appreciate this opportunity to speak about a group of students in my riding in Mitchell. They visited my constituency office on the weekend and dropped off over 300 individual, personal letters regarding their feelings about the situation in the Gulf.

These were not letters that were printed off and duplicated and had somebody sign at the bottom. They were asked to state their own feelings and their own outlook on these things. I appreciated their interest in bringing these to me. I dropped off a package to the Premier's office and I dropped off a package to the Lieutenant Governor's office. I know that they have also taken packages to the MP in my area and I am sure they have asked the MP to take them on into Ottawa.

I think students like these should be commended when they take the initiative to talk for peace. I wish the House to join me in commending them for this thing they did.

STATEMENTS BY THE MINISTRY

PAY EQUITY

Hon Mr Mackenzie: I want to announce new measures that advance this province's progress towards pay equity and extend the benefits of the legislation to a further 420,000 women. I am today indicating our government's commitment to working women and their right to fair wages. The Premier made this commitment and it will be carried forward.

For years we fought for the introduction of a Pay Equity Act, which was finally passed, not without flaws, in 1987. Even with these flaws, which were acknowledged by all parties concerned in 1987, the Pay Equity Act has had a great deal of success. Pay equity is already being achieved in the workplaces of more than one million women, and starting 1 January 1991, 4,000 additional employers, those having between 100 and 500 employees, will be required

to post their plans for achieving pay equity in their workplaces. I urge those employers to proceed on schedule, for my remarks today do not change that legal requirement.

This government is determined, as the speech from the throne reaffirmed, that many more women will benefit from the act. Throughout this government's mandate, we will work with unions, workers, employers and women's groups to find practical ways of achieving equitable wages for all women.

Today I am announcing the next steps, a set of proposals to extend the scope of the Pay Equity Act. I will introduce a bill in the spring to add to the act additional approaches for making the job comparisons which are basic to the pay equity process.

The first approach is known as proportional comparison of job value. The government has consulted widely concerning this approach to pay equity. Both employers and unions find it effective. It is estimated that an additional 340,000 women can benefit from its use. Employers and unions that can meet the pay equity requirements for all female job classes by using the job-to-job comparison method already provided in the act will not have to use this additional method. Some workplace parties have already chosen to use this new proportional value method in their plans. The proposed amendments will confirm those plans that meet the act's requirements.

An information paper will be released in January describing these amendments in greater detail. The amendments will go further than proportional comparison. We intend to introduce in the public sector another method of comparing the value of female and male jobs, the proxy comparison method. In those public sector organizations where neither job-to-job nor proportional comparisons are effective, where there are no male job classes that can be used for comparisons, the act will provide for cross-establishment comparisons called proxy comparisons. Proxy comparisons will allow female job classes to be compared with similar classes in other public sector organizations. Similar pay equity adjustments can then be made.

We are all aware of the situation of child care workers and others in predominantly female establishments who are recognized as being underpaid for the important work they do. Without proxy comparison, it is not possible for these workers to participate in pay equity.

The information paper in January will outline the proxy comparison approach that will be contained in the proposed amendments. Given the unique nature of this undertaking, the paper will also raise a number of issues for consultation, and input will be invited, particularly in regard to the identification of appropriate proxy organizations in the act. Under the proposed amendments, the workplace parties will either use the proxy organizations identified in the act or they can bargain the choice of a proxy organization to achieve a higher benefit.

With the implementation of proportional and proxy comparisons, it is estimated that an additional 420,000 women, as I mentioned earlier, will be able to benefit from the legislation.

Even with the initiatives announced today, this government recognizes that more remains to be done before we can be truly satisfied that all Ontario women will have achieved the equitable wages to which they are entitled. There will still be women who will not benefit under the act.

For example, the act does not cover workplaces in the private sector with fewer than 10 employees. Our commitment to equitable wages for all women remains firm. However, as yet, no practical and effective method of pay equity has been found to ensure that women in those establishments with fewer than 10 employees actually do benefit. For this reason, we will release a consultation paper in March that will explore a range of approaches both within and outside of the Pay Equity Act for meeting the needs of women not benefiting from the proposed amendments.

This government is also well aware of the fact that some public sector employers are facing serious difficulties in meeting their financial obligations for pay equity. I am pleased to announce that we will provide significant financial assistance to help those in the most difficulty to meet their pay equity obligations. The Treasurer will announce funding plans to meet this concern early in the new year.

1350

I am pleased to announce that we will provide significant financial assistance to help those in the most difficulty to meet their pay equity obligations. The Treasurer will announce funding plans to meet this concern early in the new year.

I am also pleased to announce today the establishment in 1991 of a Pay Equity Clinic that will provide information, advice and advocacy, primarily to non-unionized women to assist them in asserting their pay equity rights.

To fund the start-up and first year of operation of the Pay Equity Clinic, this government will make available \$500,000 within the next fiscal year. We will work with the Ministry of the Attorney General and members of the community to ensure that this clinic meets the needs of unrepresented women.

Finally, while I am very pleased to make these announcements today and while I believe the amendments in the spring will be recognized as a major and ground-breaking approach in the effort to make pay equity a universal reality, I know there is still more that needs to be done. We will continue to seek effective answers to ensure equitable wages for all women. Equity for women is not an optional extra. It is a right that we are determined to defend in conscience and in law.

REPORT OF ADVISORY COMMITTEE ON CHILDREN'S SERVICES

Hon Mrs Akande: I would like to inform the House today that I am tabling for the benefit of the members the report of the Advisory Committee on Children's Services. The committee was appointed in February 1988 by the Honourable John Sweeney and guided through its work by the member for York North. Individuals on the committee came from a variety of disciplines and a wide range of backgrounds.

Chaired by Dr Colin Maloney, executive director of the Catholic Children's Aid Society of Metropolitan Toronto, the committee was asked to examine services to children with a view of how best to ensure children's wellbeing into the 1990s. In fulfilling its mandate, the committee actively sought out input from a range of individuals and groups across the province.

I served as a member of this advisory committee until my appointment as Minister of Community and Social Services. I know of the dedication and the expertise of the committee members and would like to thank them for their energy, their diligence and their commitment of time.

Many of us know that the system does not always meet the needs of children. We also know that not meeting the needs of children can have dire consequences for them as adults. The report I am tabling today will play a critical role in challenging current thinking and practice surrounding the delivery of services to children.

Aptly named Children First, the report makes 63 recommendations designed to ensure the entitlements of children—specifically, their right to services which contribute to healthy growth and development. The report supports the following four goals for services to children:

1. To make the wellbeing of children and the defence of the entitlements this society's priority;
2. To create an equitable economic base for families and communities so they can provide for the entitlements of children;
3. To write or amend laws so they express and give force to children's entitlements; and,
4. To make the government a leading partner in the creation of, first, a public agenda for children, and second, an integrated framework of services that ensures children's entitlements.

These four goals are supported by this government.

Many of the recommendations made by the Advisory Committee on Children's Services are far-reaching. We must examine them closely and in concert with the many groups that are affected by the recommendations. Accordingly, I have asked that this report be distributed widely to interested individuals and groups.

Dr Maloney and Mary McConville, who also served as a committee member, are with us today in the visitors' gallery. Dr Maloney, Ms McConville and the other members of the committee are to be commended for their work in analysing issues that influence children's lives and in identifying effective ways to address them. I know they have provided us with a useful and valuable tool.

The tabling of this report is very timely for this government. We are committed to the children of this province and we plan to deliver on our commitment. The ideas found in the report, and those generated by it, will be used to build the government's vision for children's services.

We will continue to work with the people of this province on children's issues. We must ensure that Ontario's children have a childhood that will see them achieve their full potential as adults.

NATIVE ISSUES

Hon Mr Wildman: I would like to inform the House about several developments in the government's approach to native issues.

The government has adopted several clear objectives and we will pursue them as we address aboriginal issues. In addition, we have adopted a set of fundamental principles to use in addressing aboriginal self-government and land claims. Our objectives are as follows:

First, we intend to make significant progress in establishing first nation self-government arrangements. This will be done by negotiating directly with first nations.

Second, we will negotiate land claim settlements with first nations to settle long-standing grievances.

Third, we will improve provincial programs and funding arrangements, with the objective of raising the quality of life in aboriginal communities.

Fourth, we will work with aboriginal people and their associations to deal with self-government and program concerns of aboriginal peoples who live off-reserve.

Fifth, the government will negotiate a statement of relationship with first nations. This statement will guide the future relationship between the government of Ontario and the first nations of the province.

In fact, I can tell the honourable members that the development of this statement of relationship is already well under way. We are working on its contents with the Chiefs of Ontario to set out the nature of our government-to-government relationship.

We will also be discussing our relationship with groups such as the Ontario Metis and Aboriginal Indian Association, the Ontario Native Women's Association and the Ontario Federation of Indian Friendship Centres. These groups will bring different needs, concerns and views to the process.

As I indicated, the government has also adopted a set of fundamental principles to guide our negotiations of aboriginal self-government and land claims.

First, we formally recognize the principle that aboriginal people have an inherent right to self-government. Recognition of this inherent right will guide Ontario both in constitutional discussions with the federal government and the provinces and in self-government negotiations.

The second principle is that aboriginal representatives at the negotiating table must be able to participate in our discussions as equals.

A third principle is that we will respect the special trust relationship of the federal government with aboriginal peoples.

Finally, the government has adopted the principle that where possible, we will undertake comprehensive community negotiations to attempt to resolve both land claims and self-government objectives at the same time.

The government's native affairs agenda is an ambitious one, perhaps more ambitious than that of any other government in Canada. Before we can accomplish the major task we have set before us, there is much work we must do.

With regard to that, the government has formed a sub-committee of the cabinet committee on justice to expedite

our efforts towards negotiating and implementing aboriginal self-government. I will chair that subcommittee. Its members will include the Attorney General, the Minister of Northern Development, the Minister of Mines, the Minister of Tourism and Recreation and other ministers with interests in aboriginal affairs.

During its discussions on self-government, the subcommittee will consider the impact of provincial policies on the rights of aboriginal people to land and natural resources.

As the members may be aware, recent Supreme Court of Canada decisions have given greater recognition to aboriginal rights. It is clear that Canada's highest court expects governments to find a new and more appropriate balance between aboriginal rights and resource access.

I have said many times that we cannot hope to correct overnight the injustices of the past. But I also say to all members that our government will make steady progress towards its objectives in native affairs. I am pleased that we have made a strong beginning and am determined that we will make more progress.

VISITOR

The Speaker: Before continuing with our procedures, members may wish to welcome to our House a former member who is seated in the gallery, the former member for Welland-Thorold, Dr Mel Swart.

RESPONSES

PAY EQUITY

Mr Offer: In response to the announcement by the Minister of Labour, first, if I might, I am pleased to reaffirm my party's commitment to equitable wages as well. I would, in relation to the announcement, make three observations.

First, I note that part of the minister's statement which deals with proportional value. This is very much a reiteration of the statement by the member for Scarborough-Agincourt when as Minister of Labour he committed to amend the act to permit a proportional value method by this fall. In this regard, though certainly supportive of the announcement, I am a little disappointed that the amendments are not ready for tabling today, but are to be looked upon during the recess.

1400

I think it should also be noted that we made assurances when we formed the government that in dealing with proportional value there would be an assurance that plans already filed would not have to be reopened except for comparisons for job classes without the job-to-job male comparator, and that employers would not have to spend more for adjustment than the 1%. I think we would be looking for the minister's assurance and response in that respect.

The second matter I want to talk about is the matter of proxy. I note that it is limited only to the public sector, which of course leaves many women still excluded, such as garment workers and the private day care workers. We will be looking to see what the Minister of Labour has to say in that respect.

Finally, there is the minister's statement on the matter of financial assistance. As we know, there are approximately 6,500 employers, such as the municipalities, school boards and hospitals, currently in the midst of negotiation. What we will want to know and they will want to know is whether they will be eligible for the financial assistance the minister has very clearly committed to, but not with great specifics with regard to the announcement today.

NATIVE ISSUES

Mr Scott: I would like to congratulate the minister responsible for native affairs on his statement. With two particulars there is nothing new in it, as I am sure he will agree. It represents the policy of the previous government. As he and I know, there is a big and difficult exercise that moves from words, which these are, to deeds. I wish him well in implementing it.

One new particular is the commitment to aboriginal self-government. There is an ambiguity here that I know the minister will want to address in due course. The issue is, of course, whether that right will be constitutionalized or constitutionalized following agreement. I look forward to discussions with the minister about that subject in due course.

REPORT OF ADVISORY COMMITTEE ON CHILDREN'S SERVICES

Mrs McLeod: I would like to respond—too briefly unfortunately—to the statement of the Minister of Community and Social Services in tabling the report of the Advisory Committee on Children's Services. It certainly is a very important report and I would like to join with the ministry in congratulating the members of the committee on the results of their work.

The committee was charged by our government with the development of a strategic framework for services to vulnerable children and youth and families. Clearly the report provides that framework. It presents a broadly based vision for future direction that recognizes the real complexity of meeting the needs of children and youth and families in a holistic way. It also very clearly recognizes that our current systems are working at overcapacity with far too limited resources, that the services are too fragmented and that service providers are working in isolation from each other.

The report identifies the absolute importance of an integrated, accessible service with support that is provided in the natural settings of home and of school. I am sure that the minister, with her own background, is well aware of the significance of those particular recommendations and the implications of those recommendations for the real change that need to be brought about in the way in which services to children and to families are provided.

I well remember a meeting of some many years ago, when three ministries toured the province in order to talk about what we believed would be the co-ordination and integration of children's services. In fact, at that time what was represented was a clear separation of the services that would be provided by the Ministry of Health, by the Ministry

of Community and Social Services and by the Ministry of Education. This report calls for an integration of services. It is a framework that is a call for an agenda for action.

I would call on the minister to recognize that the importance of the issue makes it imperative not just to make a statement of commitment, but to bring forward an early response and specific recommendations to bring about those real changes.

I would make the suggestion that perhaps as a first step, the minister might refer this report to the standing committee on social development so that in that committee we could become aware of the full implications of the many recommendations that are presented in this report and work with her in support of her to ensure that real change comes about.

NATIVE ISSUES

Mr Harnick: In response to statement by the the minister responsible for native affairs, I would like to congratulate him. This is indeed an ambitious program and we will be looking forward to seeing the details of the program as time marches on.

We will also be interested and hopeful that the details of these programs will promote a better understanding of the general public towards native affairs and native issues, and we will be anxiously awaiting the details of the programs we know are to come.

PAY EQUITY

Mrs Witmer: I am pleased that some new measures have been announced today by the Minister of Labour that advance the progress towards pay equity, but I am a little concerned that nowhere in this do I see any mention of nurses and I do believe that nurses have been very concerned about their lack of ability to have pay equity. I would also like to remind the Minister of Labour that when it is extended to nurses, it is going to cost the Ontario Hospital Association \$50 million and I would like to know where that money is going to come from as well.

I am surprised that there is no mention here of extending this to the private sector with fewer than 10 employees. I am pleased to see that there is going to be some support for the public sector.

I would like to point out that in the past it has been the local taxpayer, unfortunately, who has been forced to pay up for pay equity. In fact, the cost to public school boards in this province has been \$60 million, so although I am pleased I am really concerned about the additional cost. I regret very much that the amendments and all of the information are not available to us. I wish that we could have dealt with this during our recess.

REPORT OF ADVISORY COMMITTEE ON CHILDREN'S SERVICES

Mr Jackson: I would like to publicly thank Chris Hall of the Ottawa Citizen for his persistence as an investigative journalist, which I am quite convinced is the reason this announcement is being made today instead of on Thursday, which was the government's intention.

When one reads this report on Children First, one comes to several conclusions: that a majority of the recom-

mendations come from various other reports that have been in existence in this province for the last four or five years, that the three years of analysis has in fact been an opportunity for the Liberals not to implement badly needed reforms, and that now as we move into a difficult part of our economy, there will be further impediments to the new government implementing some of these.

We have already seen and documented certain contradictions. For example, the report on food banks clearly supports what this report, Children First, says, that our children are suffering the most as a result of poverty, and yet the government has decided through the very minister who tabled the report today to proceed to fund food banks instead of getting at the implementation of the Social Assistance Review Committee, the George Thomson report.

Again, quite a few of the recommendations contained in Children First come from the SARC report, yet the government's stated policy approach, its funding of social assistance top-up and for accommodation, falls short of what the Conservative government brought in in 1982 at a 17.7% enhancement that year, when faced on the doorstep with a major recession in this province.

The fact is that the select committee on education has been talking for three and a half years about ensuring that we have a single-policy approach from the government in terms of its treatment of children. But what is interesting is what is missing from this report. What is missing is a clear enunciation of the need to co-ordinate human resources in the health care field as it relates to children, specifically child psychologists who are badly needed in this province.

When a child, an attempted suicide victim in this province, has to wait four and five months to have access to a psychiatrist, that is unacceptable. The member for Parry Sound has been pleading with the last two governments in order to ensure that we have a human resources planning approach to protect children.

What is new in this legislation is most fascinating. We should be aware that we are looking at extending shared, paid, full pregnancy leave—up to 18 months is being recommended—and yet we have heard from the government's own Minister without Portfolio responsible for women's issues indicating to expect a new announcement in the spring with respect to extending it.

It talks about school boards must institute year-round programming. It has recommendations that the Young Offenders Act be moved from the Ministry of Correctional Services into the Ministry of Community and Social Services. It recommends that parents and teachers should be put within the Criminal Code for employing corporal punishment.

This is a substantive report and should have been dealt with by this government early in this term and not sat on by the minister for the last month.

ORAL QUESTIONS

HIGHWAY CONSTRUCTION

Mr Nixon: I have a question of the Premier. In His Honour's gracious speech at the opening of this session, he said, "No partnerships are more important than those with local government." Yesterday, the Minister of Transporta-

tion cancelled the funding for the regional Red Hill expressway and he said it was a moral decision.

I was interested to hear the mayor of Hamilton, Robert Morrow, say in a news commentary that he had tried for two months to discuss this matter with the minister and the Premier and had not been successful even in having his calls returned. It was part of the same news report that two NDP councillors were informed of the minister's news conference but no one else in the elected council of the city. Is this what the Premier means when he talks about a consultative partnership with the municipalities?

Hon Mr Rae: First of all, I think that the Leader of the Opposition perhaps does not agree, but surely he would agree that this government has the right to decide how it is going to spend at least \$50 million of taxpayers' money with respect to projects that are proceeding. The regional municipality has the right to spend its money and we have a right to make a decision as to how we spend ours.

It is my understanding that the minister did have a meeting with the regional chairman and with the regional councillors. I have not discussed the issue with the mayor. I have discussed other issues with the mayor over the last couple of months. I have seen him on a couple of occasions and this topic was not raised in his discussions with me, but I can tell the member that the Minister of Transportation did discuss this issue with the regional chairman.

I might just quote back some words. Since the Leader of the Opposition has made a point of quoting words to me that I have said, perhaps I might quote back certainly the sense of words which he said to me when he was responding to the speech from the throne, in which he said that there are many people out there who assume that consultation equals agreement.

The fact of the matter is the Minister of Transportation did discuss this issue, has discussed it and has made a decision. If there are disagreements with respect to the decision, I understand that. It was not an easy decision for us to make, but the cabinet made the decision that on balance we felt that the expressway through the Red Hill Creek was not warranted, that it did pose environmental problems and that, in choosing, we decided to simply make a choice on behalf of the environment in this particular case.

Mr Nixon: I am not questioning the government's right to make a decision, even a wrong one, but in this instance consultation really was essential since the Minister of Transportation has a report indicating that the construction would involve 2,500 person-years in the Hamilton area, 9,000 person-years of employment related to the economic development and \$400 million that had been previously approved. Surely to say that kind of withdrawal should or could occur without consultation flies in the face of the Premier's stated views in this regard. Perhaps I should put it on behalf of the people in Hamilton: What will the government put in place of the jobs abruptly removed from the Hamilton area by this unilateral decision?

Hon Mr Rae: The Minister of Transportation has indicated publicly, and I am sure he has indicated as well to the regional authorities, that there is money available for other projects which are now ready to be moved ahead. That money is available. What we are saying as a government—and I can understand that some people disagree with it. Whenever we make decisions that involve a change and involve a decision not to proceed with a project, there is bound to be some unhappiness and there is bound to be some disagreement. I do not question that at all. I did not expect the decision to be universally popular with everyone.

What we decided was that Red Hill Creek is an area which, if I may say so, when the member's party was in opposition, most of its members, as I remember, who were on that side at that time and when the decision was originally in the planning stages through the early 1980s, was consistently opposed by many members of his party. The Liberals were then in government. They decided to go along with the project. We are now in government. We have decided not to spend our tax dollars on that particular project. We are happy to sit down and discuss with the authority what other projects can be up and running to replace the one which we have decided not to proceed with.

Mr Nixon: While I disagree with the decision the government has made, my question to the Premier had to do with consulting the elected municipal authorities, which he and his minister have failed to do. I think the thing that concerned me a bit was that the minister described it as a moral decision and at the same time I read in the *Ottawa Citizen* of 11 December and have heard repeatedly from my colleague the member for St Catharines that the \$2.6-million job creation fund in eastern Ontario will partly be spent on the construction of a new logging road in Algonquin Park, which apparently is moral, whereas on the basis of stopping the road in Hamilton, it is a case of immorality. Will the honourable Premier indicate what his criterion of morality is in this particular instance, and what explanation can he have for the rather ironic approach to the expenditure of public funds?

Hon Mr Rae: First of all, let me say to the Leader of the Opposition that if it is true that the mayor of Hamilton has been trying to speak to me about this issue and has not been able to get through, I apologize to him. I am not aware of it, but if he has been—as the member will appreciate, sometimes people are trying to get through and I am not aware of it. I apologize.

Mr Nixon: But your door is always open.

Hon Mr Rae: I hope the door is always open. It certainly always has been open to the Leader of the Opposition.

But I would say to the Leader of the Opposition that when he talks about there being no consultation with respect to the Red Hill Creek expressway, that is not the case. There was a discussion with the regional council. The minister did meet with the regional chairman and there was that consultation in place. It is, after all, a regional road which is being pursued.

With respect to the other question, which I had heard might be coming because of comments that were made by others in the House this morning, all I can say to the Leader of the Opposition is this: It is my understanding on the basis of a quick exchange with the Minister of Natural Resources that this particular project the member is referring to was heartily approved by the Algonquin Forestry Authority, which, as the Leader of the Opposition well knows, is an authority which is responsible for the management of the resource which is unique to that resource.

I say to the Leader of the Opposition that if he, in conjunction with the member for Renfrew North, would like to bring some concerns to us with respect to the construction of the road, and the member for Renfrew North and he would like to come to us and raise concerns about the construction of the road, I am sure that the comments of the Leader of the Opposition and the comments of the member for Renfrew North—he is not here today, but I am sure he would also want to express his views with respect to the construction of the road. I would be glad to hear from both of them in that regard and I would be interested to see if they had the same thing to say.

Mr Nixon: The member for Renfrew North and myself understand the morality of building roads. I would say that the Premier seems to have mixed emotions in this regard.

CHRONIC CARE

Mr Nixon: I do have a question for the Minister of Health. It has to do with something that I personally have been very much concerned with over the last year. I was concerned that the NDP election program did not significantly refer to long-term care, for the elderly particularly but the chronically ill in general. The speech given by the Lieutenant Governor did not refer to it with any detail either. Does the minister plan to implement the policy of long-term care that was announced in last spring's budget?

Hon Mrs Gigantes: The answer is emphatically yes.

Mr Nixon: I am very glad that that announcement has been made since, as I say, the NDP has indicated a minimal interest in this matter and since the budget has \$52 million to be expended this year. Can she explain how that money will be going forward so that we can develop single-access agencies, which was certainly an intrinsic part of the plan, and will she implement a reformed funding structure for nursing homes and homes for the aged which will move in the direction of enlightenment and on the pathway that has been marked for her?

1420

Hon Mrs Gigantes: Since this government was first installed, the ministers who are involved in the implementation of the long-term care reform have met several times, have been thoroughly briefed and are now in the final stages of deciding the kind of consultation program we will be carrying forward.

As the member knows, that consultation program was delayed this fall as a result of the fact that one government fell and another came to office. The consultation program

will proceed, and we want to make sure that it proceeds along the right lines. We think there are a few items that need to be tidied up before we go back to people in communities around Ontario and ask them to join with us in developing a perfect plan.

Mr Nixon: I am glad that the honourable minister strives for perfection, when she was quoted in the *Globe and Mail* yesterday as saying that she did not have a clue about policy development. I thought that was an interesting quote from her.

I am trying to elicit a response that is perhaps more useful in this connection since there is a \$52-million allocation that was to be largely used for the improvement of the pay schedules for the people involved in the basic care. Is it going to be necessary to wait for the Minister of Labour, who is notoriously slow in these matters, to move forward with his vision of pay equity, or is the Minister of Health going to allocate that money where it should be, to improve the pay schedules, which is what the allocation was for?

Hon Mrs Gigantes: The government is working very hard on these matters and we fully expect to meet our obligations, as we see them, under our program within the near future.

Mr Harris: I am delighted to learn that the former Treasurer is still committed to his budget plan on long-term care for the elderly—that was the one that involved substantial increases in user fees and co-payments—and hear that the NDP minister is committed to the substantial increase in user fees and co-payments with regard to the elderly and health care. However, my question is for the Premier.

TAX REVENUES

Mr Harris: On 13 August, the Premier told Ontario voters that he was against the employer-paid health tax. He agreed with me, I believe, that this was a killer of jobs and that it substantially penalized the competitiveness of our employers in this province. The Premier voted against this tax, as I recall, and he reiterated his commitment in the campaign that indeed this tax affected our competitiveness, killed jobs and in effect obviously is contributing to the recession that we are in.

This government has collected over \$870 million in revenue from this tax since it has taken office. I wonder how much longer we will have to have this tax that the Premier is opposed to, that he acknowledges kills jobs, obviously contributes to the recession and obviously contributes to the uncompetitiveness of our employers. How much longer are we going to have to put up with this tax in Ontario?

Hon Mr Rae: I can recall very vividly the debate that we had in the Legislature with respect to the employer health tax, to say nothing of the discussion we had in our own caucus, because those discussions are always very interesting.

I would say to the leader of the third party that I am not a particular fan of the employer health tax. Neither is he. I can recall during the election when he was asked the question,

"Would you get rid of the employer health tax," I think the leader of the Conservative Party said he did not think he could because he did not think he was in a position to do that.

Mr Harris: What did the Premier say?

Hon Mr Rae: I can say to the leader of the third party that obviously any decisions in this regard with respect to taxation are taken at budget time. They are taken by the Treasurer with regard to his fiscal responsibilities. That is the way these things proceed. The leader of the third party is fully aware of that. I do not think there should be any surprise in that regard.

Mr Harris: I think it is obvious we are in a recession now and the Premier acknowledged and agreed and told the people during the election that this was a contributor to the recession. I am presuming he is trying to fight the recession and do what he can to resolve our uncompetitiveness caused by high taxation and yet I see nothing on that front.

On 14 August, in the campaign, the Premier reiterated his promise to lower provincial gas taxes. He said at that time that the high gasoline taxes cost jobs, that they affected our competitiveness from an industry point of view, from a cost-of-living point of view and from a tourism point of view. Quite frankly, I agreed with him and he will recall that I made similar comments during the campaign.

But he is now Premier, not I. This government has collected over \$500 million in gasoline tax revenues since he has taken office, each one of those dollars contributing to our uncompetitiveness, to our job loss and to the depth and breadth of this recession. How much longer do we have to wait until he lives up to his promise to lower the gasoline tax in this province?

Hon Mr Rae: First of all, all decisions with respect to taxation, with one exception, are going to be dealt with in the budget. That is a decision that the government has made. We made that early on in the life of the government.

But I want to say to the leader of the third party, I would have thought that he would have recognized that in our decision not to put the retail sales tax on top of the GST, we have in effect reduced taxation that would otherwise have been in place by some \$500 million on a year-in basis. That, combined with the \$700 million which the Treasurer has put into the economy, is worth over \$1 billion in terms of injection of new money into the economy following our election.

Now, if the leader of the third party says that is not good enough and that is not enough, well, I am sorry. We are doing the best we can in the circumstances. We have reduced taxes with respect to the sales tax, we are proceeding with a capital works project which is the largest of its kind in the country, and other decisions with respect to taxation will be made at budget time. I am sure we will have a good debate about them then.

Mr Harris: The Premier, in response to a question about the gas tax, says he moved on another tax. I applaud that move. Obviously, we did not have to wait for a budget. That, I agree as well, is a recession-fighting move and I applaud the reduction of that tax. He will note we

support it, unlike the Liberals, who had great concerns about cutting the tax by \$500 million that way.

During the debate on a piece of legislation that the Liberals brought in to add a commercial concentration tax to Toronto, the Premier voted against that. He said it contributed to the uncompetitiveness of Toronto, to the cost of living in Toronto; that it would cost jobs. During the campaign he reiterated, as confirmed in the *Toronto Star* of 22 August, that he was opposed to that tax. Obviously now we are in a recession. This is a tax that is contributing to the recession here in Toronto. How long do we have to wait before he removes the commercial concentration tax?

Hon Mr Rae: All I can say to the leader of the third party is that all decisions with respect to taxation, with the exception of the GST, because that is coming in on 1 January 1991, are decisions that will be made at budget time. That is the way it has always been with respect to tax matters. I would think that if we were to do it any other way, he would be the first to criticize it.

Mr Harris: Given that all these taxes, according to the Premier, are contributing to the recession, one has to question whether this province can wait until a year into the recession before we have a budget, if that in fact is the way according to the Premier—and certainly it was in the campaign—that we should fight the recession.

FAIR TAX COMMISSION

Mr Harris: The Treasurer will be bringing down his first budget this spring, expected to be somewhere between \$45 billion and \$50 billion, I guess, depending on what kind of spending controls are brought in; probably closer to \$50 billion, because I do not see any sign of them. I wonder if the Premier, since he has been very quick to refer everything off for a year later to the budget—and the other stock answer we get is the fair tax commission—can tell me if this fair tax commission is going to have any input into the Treasurer's budget that we expect some three or four months from now.

1430

Hon Mr Rae: The fair tax commission is, we hope, going to be up and running reasonably soon. We as a government have been discussing it and there will be, we hope very much, an opportunity on a very preliminary basis for the fair tax commission to have some advice for the Treasurer prior to the budget.

I just want to clarify one thing. In his preamble, the leader of the third party talked about a budget a year from now. No, the budget will be coming down in the spring of 1991, which will be, I suppose, about six months into the life and work of this government. I think that on balance that is the kind of thing the people in this province would expect to see, rather than a sort of whammo response to a government that has only been in for a couple of weeks, that has not had an opportunity to assess all the spending that is going on out there.

As for spending, I might say that his colleague the member for Parry Sound and all his colleagues have been asking questions about how we can spend more money. His colleague the member for Burlington South was talking

today about how much more money we have to spend on children's services. It all depends on who is asking the question and on what day the questions are getting asked. It is quite clear that some days the members opposite are all Dr Spend and some days they are all Dr Save. We are the ones now who have to decide as to how we are going to do it.

Interjections.

Mr Harris: The response from the Premier, the Treasurer and in fact a number of other ministers to repeated questions from this side of the House concerning taxation has been—

Hon Mr Laughren: Don't be so provocative.

Interjections.

The Speaker: I realize that this is the season to be jolly, but at the same time this is question period and an opportunity for members to place questions. The leader of the third party was in the midst of placing a very important question. I would really appreciate it if I could hear the question, and I am sure other members would likewise like to hear the question.

Mr Harris: Thank you very much, Mr Speaker. I know they are an unruly group and they are tough to control. I appreciate your efforts. Might I continue in my unprovocative way?

The Premier, the Treasurer and other ministers, when we have asked about taxation issues, repeatedly have said, "You'll have to wait for the fair tax commission," on a whole array of tax questions. I will get the Hansards of about 30 times that has been said. The Treasurer is shaking his head.

On 4 December the Treasurer promised a detailed report on its establishment in the near future. We have two days left before this House adjourns. This House does not plan, according to my assessment, from what I have been hearing, to sit again for two and a half months. Will we see the terms of reference, the membership and the criteria of this Fair Tax Commission some time before the next two and a half months, ie, in the next two days?

Hon Mr Rae: I can tell members that we are working very hard on the matter. I can also say to the leader of the third party that we have already agreed with one of his suggestions, which is that the membership of the committee should be referred to the standing committee on government agencies, which we have agreed to. That will sit in the time between now and when the House comes back. I can certainly tell the member that any questions with respect to the membership or terms of reference can certainly be dealt with by the committee if it turns out that it is not possible for the Treasurer to make an announcement in the House in the next two days.

Mr Harris: We have not been consulted about the terms of reference or the makeup of this committee. I do not believe the official opposition has been consulted, whether it has any input as to who should be on the fair tax commission, what the mandate should be, what the terms of reference should be. The Treasurer is shaking his head. He confirms that. I am assuming, from the lack of consult-

ation, that the government does not plan to consult with us at all.

The House leaders and whips have been meeting now to plan the time in between, the two and a half months when we will not be sitting. There has not been one single discussion on the fair tax commission, what it will be planning to do, whether there will be any input, whether we will be involved and whether it in fact will have anything to say about the budget that will be brought forward from the Treasurer.

Now, I would ask the Premier two things. First, does he plan to consult or is this just going to be a Premier-and-Treasurer-appointed commission: "Do and say whatever you want"? Are we going to be consulted on that? Second, how can he expect this commission to have any input into the budget, expected as he says in the next three or four months, if in fact it is going to be March or April before we get a look at having some input into this commission?

Hon Mr Rae: First of all, I would say to the leader of the third party that we as a government have some responsibilities with respect to our program. The fair tax commission is intended to provide advice to the Treasurer. We are doing something which no other government has ever done—not the previous government and not the member's party when he was in government—and that is to say, the names of the membership of this commission are going before the standing committee on government agencies. That standing committee, as I understand it, is capable of sitting in the break period. That will be an opportunity for the standing committee to ask the proposed commissioners questions with respect to their range of views.

Mr Harris: You're making this up as you go along. "We don't have that committee. We don't have the criteria. We don't have any of that yet."

Hon Mr Rae: I say to the leader of the third party, who is shouting at me from his desk, we as a government have a responsibility to bring forward our program. We are doing something which no other government has done with respect to a commission of the government. I do not recall his ever having done it when he was briefly a minister in the Frank Miller cabinet. I do not recall one member of the Liberal Party having done it when it was in government for five years. We are doing something which no other government has done with respect to consultation.

Mr Harris: When?

Hon Mr Rae: The leader of the third party now shouts out, "When?" I have told him. In the break period between now and when we come back, there will be an opportunity for the standing committee on government agencies to deal with the names of the people whom we are going to be putting forward as members of this commission.

LANDFILL SITES

Mrs Sullivan: On 7 June 1990, the then NDP member for Sault Ste Marie, Karl Morin-Strom, put forward a resolution in this House. It stated that the government of Ontario should adopt a policy that no municipal or other garbage from southern Ontario should be shipped to any

location in northern Ontario for treatment or disposal. Interestingly enough, when the vote was taken, the now Minister of Consumer and Commercial Relations and Financial Institutions, the Minister of Northern Development, the Minister of Transportation, the Minister of Labour, the Minister of Colleges and Universities, the Attorney General, the Solicitor General and the Minister of Mines supported that, as did the Minister of Natural Resources, who said at the time, "We must not ship that type of garbage from southern Ontario to northern Ontario." I support that completely.

On 23 November, the new Minister of the Environment wrote to Metro Chairman Alan Tonks and encouraged Metropolitan Toronto to preserve all of its landfill options, including Kirkland Lake. The minister has provided no information or facts to the House to explain the government's flip-flop between June and November, a very short period of time.

My question is for the Minister of the Environment. Does the minister support the export of greater Toronto area waste outside the greater Toronto area?

Hon Mrs Grier: This is a difficult issue and it is one that I suspect, if it had been easily resolved, my predecessor might have resolved it. What this government is going to do about waste is seriously try to reduce the amount of waste that is shipped, disposed of or landfilled anywhere in the province of Ontario. The issue of whether the ultimate site for the residue of Metro Toronto's waste is within the GTA or beyond the GTA has not yet been decided.

1440

Mrs Sullivan: Once again, the minister refers to the garbage authority although it does not exist. Of course, we know that the minister will have a direct role in shaping the mandate and the legislation governing that authority.

One of her senior officials in the Ministry of the Environment yesterday indicated in a telephone conversation that he did not want a copy of lists previously prepared in the regional exercises. Everybody else wants a copy of those lists, but he apparently does not. Rather, there will be new rules. He stated that the Ministry of the Environment will be forwarding its criteria for site selection to the consultants for a new authority when it is established.

Will the minister please outline for us today what criteria her ministry will be putting forward to the authority for it to use to identify host communities for Metro's garbage?

Hon Mrs Grier: I know the member for Halton Centre has had a lot of fun with lists and no lists and out of GTA and within GTA. Let me share with the member a press release that was issued yesterday by a group called Northwatch. I think one sentence in that is very telling and deserves repeating to this House.

It says: "It's clear that they"—and they are referring to Metro and some developers and other people—"want to create an impression that it's a done deal, but it's clearly not and it's dirty pool to create those false impressions." That is from an environmental group concerned about the thought that there may be waste sent to northern Ontario.

The authority, when it is established, will be dealing with the criteria, will be dealing with the process of site selection, and let me assure the member and all members of the House that the bottom line for this government is going to be what is in the best interests of the environment and that any criteria established will have that first and foremost in their consideration.

HIGHWAY CONSTRUCTION

Mr Arnott: My question is for the Minister of Transportation.

Yesterday, when the minister was asked about his decision to cancel part of the Red Hill Creek expressway, he said he made it after reviewing the dissenting report of the Environmental Assessment Board representative on the joint board. The dissenting report makes up only about one third of the total report. The legal implications of the minister's decision are serious. The opponents of the project appealed to cabinet. Cabinet upheld the joint board's decision on 12 March 1987. The opponents then went to the Supreme Court of Ontario asking for a judicial review of the hearings. It was denied earlier this year. I want to ask the minister, on what statutory authority did his cabinet review this issue, when was it considered at cabinet, and did it include a review of the entire report of the joint board?

Hon Mr Philip: I met with the representatives of the regional council, including the regional chairman, on which the members of the Hamilton council sit. I considered their views.

I point out that it is not just the NDP and the environmentalists who were against this. Indeed, the conservation authority has been against this destruction of the valley. The Niagara Escarpment Commission has been against this destruction of the valley, and I do not happen to weigh evidence by the number of pages that it occupies. I made a decision based on the evidence that was there. If the previous government or the Conservative government had the wherewithal to look at the situation the way that I did, they would have come to the same conclusion and stopped it earlier.

Mr Arnott: Yesterday, the minister said his government is committed to a marriage between the environment and transportation. He said he made his decision based on the NDP commitment to the protection of the environment.

His government has just reversed a decision made in 1985, a decision which was upheld by the previous cabinet and the Supreme Court of Ontario, a decision upon which millions of dollars have already been spent, and upon which hundreds of planning decisions and investments have been made. The minister's decision has destroyed the public's confidence in the planning process and will undermine any future decisions made by a joint board or any government board. Is the minister now willing to refund the municipality its \$15 million investment and pay for all costs of any legal actions which may result from his decision?

Hon Mr Philip: The city, the conservation authority and the Ministry of Transportation and, at that time, Communications, which was headed by a Conservative minister,

was part of the study called the Hamilton-Wentworth waterfront study, which in 1974 came out against the destruction of the valley. Later, the municipality reversed that decision. We made a decision based on our right to spend the taxpayers' money under the budget that we have control of and that is the decision I made. I did not interfere at all in the decision of the authority.

JOB SECURITY

Mr Malkowski: I have a question for the Minister of Energy. Over the past several weeks, members of the opposition parties have raised alarming concerns about jobs being lost as a result of the nuclear moratorium. In one case, a member stated that thousands of jobs would be lost in a matter of weeks. Can the minister tell the House what job losses we are experiencing and will be experiencing as a result of the moratorium?

Hon Mrs Carter: I want to thank the member for York East for his question. There has been a lot of talk about job loss as a result of the nuclear moratorium. I am pleased to say it is inaccurate. The nuclear moratorium has not eliminated existing plants, nor has it cancelled the plans for Darlington. Consequently, the people who operate, fuel, maintain, supply and repair nuclear power stations are still in as much demand as they would have been without a moratorium.

This government continues to be committed to maintaining the safety and reliability of existing nuclear power stations, so there will also be continued opportunities for working in capital projects at our nuclear stations.

Mr Malkowski: The minister has indicated that the jobs related to existing nuclear power plants are secure, which is not surprising since those plants are not closing. But there are jobs in the nuclear industry, jobs in development and production of nuclear products, that existing plants will not call on. For example, there are jobs at General Electric in Peterborough and jobs at AECL at Sheridan Park in Mississauga that normally rely on the creation of new plants in order to continue. What will happen to these jobs?

Hon Mrs Carter: I am acutely aware of the concerns of the people that the member for York East has mentioned, at General Electric in Sheridan Park. The General Electric workers are my constituents and I have recently met with representatives of the nuclear engineers at AECL as well as other affected groups. This government is working with these groups to address their concerns. Members will be pleased to learn that the staff at AECL have indicated that they see no immediate prospects of job loss among their staff members. They have also expressed great interest in our objectives, relating to alternative energy sources and energy efficiency technologies and are enthusiastic about job opportunities in those fields.

Similarly, General Electric has indicated its strong support for the government's initiative. The chair of the General Electric board told me that there were things in the NDP's new energy directions that would provide—

Mrs Caplan: Mr Speaker, this is a speech.

Mr Runciman: She has already read that paragraph.

1450

The Speaker: Just a minute. I would appreciate it, quite frankly, if members have a concern about either the length of questions asked or the length of responses, that they use a couple of different ways to let me know other than simply making noise. A point of order is certainly to be entertained or you may wish to discuss the matter after question period. Simply to make noise is not helpful to anyone.

If the minister has a few additional short remarks to make, she has—

Interjections.

The Speaker: Quite frankly, due to the discourtesy shown, I intend to allow the minister a few seconds to conclude her remarks.

Mr Elston: On a point of order, Mr Speaker: I can understand that you would ask that the minister wind up her remarks—I have no problem with that—but for you to stand up in the House and say that because you think there has been a discourtesy you are somehow punishing the people, I do not think this is really very much called for.

I really was busy doing the business of the House with the government House leader. I was listening to this and I would have stood up. I was behind the Speaker's chair. This is another example of how they are carrying on, giving ministerial statements about government policy. I appreciate that you are concerned, but to make that last statement—I was prepared to let it go till then—was a little bit much.

The Speaker: To the member for Bruce, first of all, I could not hear the minister who was responding because of the noise from these benches. I am supposed to be able to hear—

Interjections.

The Speaker: The House leader raises a point which, quite frankly, I was considering. I was surprised that there was no response from the opposition. I would caution, as I have before, that the ministers have the opportunity to make statements about government policy during statements by the ministry. When there are matters raised which appear to be in fact ministers' statements, it is more appropriate to raise those during that time.

With the indulgence of the House, I will ask that the minister take a few seconds to conclude her remarks. In return, I will add one minute to the question period.

Hon Mrs Carter: With respect, Mr Speaker, I was not making a statement. I have been replying to questions.

I have, I think, a couple of important points here. First of all, the chair of the board of General Electric Canada Inc told me that there were things in the NDP's new energy directions that were—

Mr Mancini: On a point of order, Mr Speaker: I am following the advice, sir, that you just gave to the House, which is that if we have a concern, instead of voicing it while we are sitting down, we should rise and voice it to you and to the whole House directly.

It was very evident, sir, that earlier on the minister was not answering the question. She was reading from a

prepared text. You kindly allowed her to conclude the answer. She immediately again started to read from a prepared text. I submit to you, Mr Speaker, and to the House that this is not really an answer to a question; it is a ministerial statement. I ask you to rule on this, sir.

The Speaker: Stop the clock, please.

I appreciate the matter raised by the member for Essex South. I will tell you at the start that it is my intention to first hear the response from the minister, and I said to her that she had an additional few seconds to conclude her remarks. I will review Hansard and I will report back to you tomorrow.

I mention to members that under the orders—

Interjection.

The Speaker: No. We stopped the clock.

Under our procedures, members of all parties have an opportunity in rotation to ask questions, and there is a fine line between what is a legitimate question and what is in fact setting up a statement by ministers. If the three House leaders have a concern, I will be more than pleased to meet with them to discuss this matter immediately following routine proceedings today. It is my intention that question period be used purely for what it is intended to be used and to respect the right of all private members.

Now, I would ask the Minister of Energy to try to succinctly conclude her remarks and then we will move on with rotation. As I mentioned, we will add a minute to the time.

Hon Mrs Carter: Right, Mr Speaker, one sentence: I just want to state that not only are jobs not being lost as a result of our policies but they are being created.

ALCOHOL ADVERTISING

Mr McClelland: My question is for the Minister of Consumer and Commercial Relations. All members of this House will be aware of the tragic death of Jimmy Whiffen, the 15-year-old boy who died as a result of consuming the equivalent of a 26-ounce bottle of alcohol. A coroner's jury was charged with investigating this matter and recommended, among other things, a ban on advertising of alcohol.

Shortly thereafter, the recommendations were tabled after they were put forward. The minister was quoted in the press as stating that his government was looking at proceeding with imposing a ban on the advertising of alcohol and in fact indicated that it would act relatively quickly to move towards implementing that proposal. The minister also said that he would be meeting with members of the Liquor Licence Board of Ontario to discuss what steps might be taken.

I presume by this time the minister has had an opportunity to meet with the liquor licensing board. Can he tell us what specific steps he plans to take with respect to the issue and when, if ever, he intends to share with this House and the people of Ontario what he is going to do in response to the recommendations, specifically the recommendation with respect to the issue of advertising and alcohol?

Hon Mr Kormos: The coroner's inquest on the tragic Whiffen death is one that the ministry and the government have taken very, very seriously. The work that jurors and coroners do in that type of investigation is in no way ever to be diminished or denigrated, and I can tell the members, as this member knows, we responded quickly.

We responded by meeting the Liquor Licence Board of Ontario. We then met and continue to meet with groups ranging from PRIDE, People to Reduce Impaired Driving Everywhere, to Dr Robert Solomon, a professor at the University of Western Ontario and an expert on the issue of alcohol, drugs and tobacco. We have met with the spirits industry, representatives of the wine industry, representatives of the beer industry and the unions, the people who work for these industries and have an interest in the outcome too because these are the people who share the concern of the rest of the community at the tragic deaths of not just Whiffen but of others, and the impact of alcohol and alcohol abuse and other drugs on young people, adults and families across the province.

I was shocked when I read of the member's comment to the press that he somehow did not feel that a ban on advertising would affect anything. I can tell members that I disagree with that type of statement. We are not committed to a ban on advertising, but I will tell members that we are committed to shortly introducing changes to the LLBO advertising rules, changes to the manner in which liquor and other alcohols are presented not just to young people but to adults as well, to help fight what has become one of the most profound and most devastating impacts on people's lives in this country.

1500

Mr McClelland: I might indicate that indeed the statement made to the press was one to draw attention to members who were concerned that in fact the liquor industry, including its broad range of advertising, does use some advertising for responsible advertising. I would hope the minister would acknowledge that clearly what he has suggested I said is not the case.

In light of that, two weeks ago I called on the minister in this House to immediately implement warning labels on alcohol as an effective and inexpensive way to educate the public about the potential hazards of excessive drinking. In fact, the minister himself has said, and I quote, that this "could be put into effect without any great deal of difficulty." To date, as far as I am aware, the minister has taken no action.

The minister must realize that the guidelines currently governing the advertising of alcohol in Ontario were put in place after four years of extensive public consultation carried out by the previous government. Those guidelines reflected the prevailing attitude of the public at that time.

The coroner's jury has suggested that more has to be done. Given the time that has passed since the jury handed down its recommendations, given the serious tragedy that occurred, what specific plans would the minister hope would follow from his consultation that he has advised us about, and can he tell us, after having met with concerned groups, what he is going to do to deal with this issue in a

realistic and comprehensive fashion, and when he is going to begin to do that?

Hon Mr Kormos: I remember as an opposition member I dumped all over the then government, the Liberals, for liberalizing the advertising guidelines. They paved the way. Members have seen them, have they not? The black and the blue ads, the ones that are geared not just to 19-year-olds but beer advertising that is geared to 15-, 14-, 13- and 12-year-olds.

I find it hard to believe that a guy who was a member of the government that opened up beer advertising so that it can infect young people's lives would now show himself to be apparently so outraged. I am a little bit tired of guys like that jumping on my coat-tails and trying to make press out of the tragedy of the death of a child like the young Whiffen boy.

MINISTERIAL RESPONSIBILITY

Mrs Marland: My question is to the Premier. This question has nothing to do with the person who currently holds this office, but I am speaking about the minister to whom the Premier has assigned two portfolios, one being that of the Environment and one being the greater Toronto area.

When he made that decision to give one minister responsibility for two portfolios, particularly those two, did he give any consideration to a conflict between the two portfolios?

Hon Mr Rae: I thank the member for Mississauga South for her question. It is a reasonable one and a good one.

Whenever I appoint people to portfolios, of course that is something in my mind. For example, when I appointed the Minister of Natural Resources to also be the minister responsible for native affairs, I thought it made sense for us to do that, not only in terms of the minister's qualities but also in terms of the mutual interest and the importance of having those ministries work together rather than work at cross-purposes. Frankly, as I have said on other occasions, time will tell as to whether this approach is the right one.

With respect to the appointment of the Minister of the Environment to be the minister for the greater Toronto area, frankly, there were a number of decisions with respect to planning in the greater Toronto area that I felt had major environmental implications, with respect to the waterfront, with respect to garbage as an issue, with respect to broad planning considerations in the GTA. I wanted to give those, if I can put it in the shorthand form, a green perspective. That is why I made this decision.

If it turns out that it is not a perfect match or that there are problems with it, of course we will deal with that. But as far as I am concerned, I think it is working well. I think the minister is working in co-operation with the Minister of Municipal Affairs. They are meeting regularly with respect to areas where they have to work together. If there are any conflicts in a technical sense or in a policy sense, I am certainly not aware of them.

Mrs Marland: I appreciate the answer, but I think now that the Premier can see what is happening the question is one of these two particular ministries working

together, and I think even based on some of the questions he has heard in these last three weeks, he can see conflicts beginning to emerge.

I give the Premier a perfect example: the shipping of Metro garbage to Kirkland Lake. I think the reaction of the people who are concerned about the environment around the province is very real. Yet, the interests of Metro Toronto and what it does with its garbage plans are also very critical. We just find it impossible to see how this minister—and again it is nothing to do with who is in that office today—or how any minister can sit at the cabinet table and take one hat off, put another one on and say: "Now I'm dealing with the environmental issues. Oops, just a minute. Now I'm dealing with the GTA issues." How can he or she possibly deal fairly and be an advocate for those two opposing interests, because at times those interests are opposing? We have an example now.

Hon Mr Rae: I hear the honourable member and I can appreciate her point. I am afraid I do not agree with it. I do not see that the minister responsible for the GTA has any particular conflict with regard to her responsibility overall for the environment.

I cannot think of a more important, more practical and more immediate environmental question than we face here in the greater Toronto area, in the Ottawa area, in the Windsor area and across northern Ontario. It is an issue across the province. For the minister responsible for the GTA to have an environmental perspective and to be working from that perspective strikes me as a good idea. But if there are other problems which the member would like to bring to my attention, as always I would be more than pleased to hear from her.

GRAIN PRODUCERS

Mr Mills: Grain farmers in my area and throughout Ontario are in need of a new long-term stabilization program. I would like to ask the Minister of Agriculture and Food if he could provide this House with the latest information on the new proposed national safety nets and the timetable for these new plans.

Hon Mr Buchanan: I would like to thank the member for the question and report to him that I appreciate the concern he raises in terms of agriculture. I would like to point out to him and to the rest of the House that while we were in Brussels the safety-net question was raised and discussed with ministers from the other levels of government. We did reach agreement with the ministers who were there.

At the moment, officials from this government and other governments are putting the fine-tuning on the two safety-net proposals. The gross revenue insurance plan, known as GRIP, and the net income stabilization account, known as NISA, have been almost finalized. I had hoped to be able to make an announcement this week. We will have a program to put in place early in 1991.

Mr Mills: I thank the minister for his reply. I would like to see clarification on the status of farm-fed grains within these new plans. This is an important issue for the Ontario livestock sector and its continued viability in this province.

1510

Hon Mr Buchanan: In terms of farm-fed grains being included, this is a major issue for farmers across the country, and in Ontario particularly. I am happy to report that farm-fed grains will be included in these two programs, and further to that I have insisted that horticultural crops be included as well. Originally the two safety-net plans were just going to cover grains and oil seeds. I have asked that horticultural crops be included. I am pleased to say that they will also be included under these plans.

EASTERN ONTARIO DEVELOPMENT DÉVELOPPEMENT DE L'EST DE L'ONTARIO

Mr Grandmaître: My question is to the Premier. Je voudrais dire au premier ministre que contrairement au Nord de l'Ontario, l'Est de l'Ontario ne jouit pas d'un ministère ou d'un ministre chargé de s'occuper des questions relatives à l'Est de l'Ontario. Souvent nous sommes critiqués ou notre palier de gouvernement est critiqué ou accusé de délaisser les gens de l'Est de l'Ontario. Souvent nous sommes accusés, en plus, de mal partager les budgets afin de respecter les demandes ou les attentes de l'Est de l'Ontario.

For those reasons and others, the former Premier of this province created the eastern Ontario cabinet committee to try to work with municipalities in eastern Ontario. Today I am asking the Premier, will he consider reinstating the eastern Ontario cabinet committee?

L'hon. M. Rae : J'apprécie beaucoup la question du député d'Ottawa-Est. Je suis très conscient de nos responsabilités envers l'Est de notre province. D'abord, c'est la région de la province d'où je viens personnellement et c'est la région où je suis né. Naturellement, j'ai beaucoup d'affinité pour la région de l'Est de la province.

J'entends bien la suggestion du député et je vais y songer.

Mr H. O'Neil: The Premier mentions that he comes from eastern Ontario, but I also might mention that eastern Ontario stretches from approximately Bowmanville to the Quebec border and it goes north into Renfrew and Pembroke, with a very large area of the province. But we see that when he put forward this \$42 million as a stimulus to try and bring along the economy, he only provided about 7.5% of that money for eastern Ontario. Could I ask the Premier, when he allots the remainder of that \$700 million, will he make sure that eastern Ontario gets a fair share of it instead of about 7%?

Hon Mr Rae: Yes.

ASSISTANCE TO FARMERS

Mr B. Murdoch: I have a question for the Minister of Agriculture and Food. He will know that in August his predecessor agreed to a federal-provincial plan to assist fruit and vegetable farmers. Federal funds would be matched and distributed by the province to producers. Apple growers would receive \$200 an acre. The farmers in Grey in Ontario need that money. Can the minister tell me when they will receive it?

Hon Mr Buchanan: I would be pleased to answer that question. The cheques will be out early in January.

MINISTER'S RESPONSE TO QUESTION

Mr Sorbara: Mr Speaker, I rise on a point of privilege regarding the comments made by the Minister of Consumer and Commercial Relations during question period. His answer represented one of the crassest political comments that I have heard during my time sitting in this Parliament since the election. Unfortunately the Premier is leaving. I think he should hear this.

The Minister of Consumer and Commercial Relations suggested in his response that the previous Liberal government liberalized regulations respecting the advertising of beverage alcohol in the province so as to allow the manufacturers and distributors of alcohol to advertise in a way that attracted children.

Because I was the minister who brought those guidelines to cabinet and had them ultimately approved by cabinet, I want to tell him that the development of those regulations was designed in such a way as to ensure that the manufacturers of beverage alcohol would not pitch their commercials to children. Not only that, those regulations were developed by the Liquor Licence Board of Ontario after broad consultation with all of the stakeholders in a very significant area and one we are all preoccupied with.

I would suggest that if the minister actually believes that those guidelines are designed to attract minors to the consumption of beverage alcohol, then he has no alternative but to demand the resignation of the chairman of the Liquor Licence Board of Ontario and all the members of those boards that unanimously recommended those regulations to the government.

The Speaker: I am not sure the member has a point of privilege, but I will be pleased to review the Hansard and I will report back to you later.

Mr B. Murdoch: Mr Speaker, on a point of order: I would just like to ask you if you added the minute to our time. I do not think you did. You promised us an extra minute. I did not see it.

The Speaker: It was added in at the time we had our little discussion here.

Mr Drainville: Mr Speaker, on a point of order: Pursuant to the points of order that were raised before, I just want to say that we on our side of the House did not make any comment at the time, but I want it to be registered, as you consider these things, that indecorous behaviour seems to be the norm recently from the other benches. Even the member for Mississauga South, when she rose to speak in the House today, could not do so for about a minute's time because of the comments that were being made opposite. I have to say that in terms of that we have had to enjoin upon the members of our own party to maintain a certain respect when questions are being asked in the House. In fact, when I spoke to members of my own party about this issue recently, I had to enjoin upon them the words of the great Plutarch. Plutarch once said, "Know

how to listen and you will profit even from those who speak badly."

The Speaker: I appreciate the observations of all members of the House.

SUPPLEMENTARY ESTIMATES

Hon Ms Lankin: Mr Speaker, I have a message from His Honour the Lieutenant Governor, signed by his own hand.

The Speaker: The Lieutenant Governor transmits supplementary estimates of certain additional sums required for the services of the province for the year ending 31 March 1991 and recommends them to the Legislative Assembly. Toronto, 18 December 1990.

PETITIONS

SCHOOL CURRICULUM

Mrs Mathysen: I have a petition signed by 70 constituents who request that the Parliament of Ontario require that equal time be given to the teaching of evolutionism and creationism in OAC history and science courses. They ask that equal time be given in presenting the underlying assumptions in each point of view, thereby allowing students to examine their own belief system and better appreciate an opposing point of view. I have signed my name to this petition.

PRESTATIONS PAYÉES AUX PERSONNES HANDICAPÉES

Mme S. Murdock : J'ai en ma possession une pétition de 3 300 personnes de la région de Sudbury qui déclare ce qui suit :

«D'après la loi, une personne handicapée perd ses prestations à la suite d'un mariage. Or, nous croyons qu'elle doit continuer à recevoir ses prestations à titre de personne handicapée ayant des besoins particuliers et un réel désir de devenir plus autonome.

«Nous vous demandons respectueusement, messieurs et mesdames les députés, de reconnaître cette injustice et de modifier le projet de loi en conséquence. Votre action immédiate contribuera à alléger le fardeau financier qui les accable présentement.»

J'ai apposé mon nom à cette pétition.

1520

INTRODUCTION OF BILLS

REPRESENTATION AMENDMENT ACT, 1990

Mr Villeneuve moved first reading of Bill 31, An Act to amend the Representation Act, 1986.

Motion agreed to.

Mr Villeneuve: I represent a very great and historical part of Ontario known as Stormont, Dundas and Glengarry. Under redistribution in 1987, this great riding was expanded to include the eastern section of Grenville county. Some 12,000 people reside in that section of Grenville county and yet they are not recognized in this Legislature.

The united counties that I represent are often referred to as SD and G. We have had the great unit of the Stormont, Dundas and Glengarry Highlanders, among others.

Our history is made. I will not bore members with any more than one more sentence. I am asking them to recognize the good people of Grenville county by changing the name to Stormont, Dundas, Glengarry and East Grenville.

REGIONAL MUNICIPALITY OF OTTAWA-CARLETON STATUTE LAW AMENDMENT ACT, 1990

Mr Cooke moved first reading of Bill 32, An Act to amend the Regional Municipality of Ottawa-Carleton Act and the Municipal Elections Act.

Motion agreed to.

Hon Mr Cooke: This legislation will permit Ottawa-Carleton voters to elect their regional chair. The people of Ottawa-Carleton want comprehensive reform of their regional government and this government intends to undertake that reform. There is simply not enough time to reach a consensus on that reform before the municipal elections next November. I plan to bring forward comprehensive reform of Ottawa-Carleton in time for the 1994 municipal elections. The one thing nearly everyone seems to agree on is that anyone in a position as powerful and as important as the chair of Ottawa-Carleton should be accountable to the people. It is because of this consensus that I am going ahead with the legislation today.

The Speaker: I would like to capture the attention of the Minister of Housing for a moment. Perhaps in future he would follow our set procedures about introduction of bills.

HEALTH DISCIPLINES AMENDMENT ACT, 1990

Mr Henderson moved first reading of Bill 33, An Act to amend the Health Disciplines Act.

Motion agreed to.

Mr Henderson: This bill amends part III, Medicine, of the Health Disciplines Act. A new section 52a prohibits members of the College of Physicians and Surgeons of Ontario, except where required by specified statutes, from disclosing medical information concerning a patient to third parties without the patient's consent. The section requires members to give a patient sufficient information to enable the patient to decide whether to consent to disclosure, and in addition sets out the requirements for valid consent. Nothing will be shown in a patient's file or medical record to indicate that consent to disclosure of information was withheld.

WORKERS' COMPENSATION AMENDMENT ACT, 1990

Mr Henderson moved first reading of Bill 34, An Act to amend the Workers' Compensation Act.

Motion agreed to.

Mr Henderson: The purpose of this companion bill is to allow a worker to refuse his or her consent to disclosure of medical information obtained during medical examinations required by the act. Once the worker has refused consent, he or she can choose to withdraw his or her claim for compensation. If the claim is withdrawn, nothing will be shown in the worker's file or medical record to indicate the reason for the withdrawal.

MUNICIPAL OFFICES VACANCIES ACT, 1990

Mr Callahan moved first reading of Bill 35, An Act respecting Vacancies in Municipal Offices.

Motion agreed to.

Mr Callahan: The purpose of this bill is to provide that in the event of a vacancy occurring on a municipal council or school board, the council or board must appoint the candidate who received the second-highest number of votes at the election at which the councillor or board member who is no longer in office was elected.

ORDERS OF THE DAY

RESIDENTIAL RENT REGULATION
AMENDMENT ACT, 1990

Resuming the adjourned debate on the motion for second reading of Bill 4, An Act to amend the Residential Rent Regulation Act, 1986.

Hon Mr Cooke: I am just going to take a couple of minutes to comment on the very appropriate and helpful interventions that have taken place over the last several days on Bill 4. I want to indicate that I certainly appreciate the recommendations that have come from the opposition parties, as well as from members of my own caucus.

Obviously the areas that are of major concern to people who are concerned about Bill 4, and have been raised by the opposition, are matters dealing with repairs and capital. I want to indicate very clearly to the opposition parties that this is a temporary moratorium, as we have indicated in the past, and that I really do not believe their concerns during a short-term moratorium are valid.

I believe very much that what we needed to do was to bring in this type of legislation to stabilize the market, to avoid the kind of situations that were occurring and that have been raised by such prominent people as Alan Redway in his letter to me last week, and to stabilize the situation while we thought through what type of rent review system and what type of rent control system will work in the long run.

I just think it would be totally inappropriate to go in the direction that the Legislature did in 1985, where we sorted out all the difficulties and brought in legislation and by the time the legislation came in it was doomed to failure because of the huge backlog of cases. This moratorium will prevent that from happening. When the new system comes in, we will in fact be able to start afresh and be able to take an approach with the new rent review system that will not have all of the difficulties the former system had.

1530

I can tell the members that it is our intention in the ministry, as much as possible, to have the permanent legislation and the system be a simpler system, a system that landlords and tenants will be able to understand without having to have the assistance of lawyers or expensive consultants, so that they will be able to access the system.

I can also tell members that, as the House leaders will be aware, the time frame for dealing with both the short-term legislation and the long-term legislation, I think, is one that we should all be trying to participate in. As members know, this bill, after it is voted on today, will be going

out to the standing committee on general government. There will be public hearings on the bill during the break. It is our expectation that around 18 February, towards the end of February, the consultation document on the permanent system will be released. When I say 18 February, that is the target date. If we are a couple of days early or a couple of days late, members will please understand that. That is the target date for the consultation document that will outline potential direction and options for the permanent rent review system.

We have offered, and I believe the opposition parties have accepted, the proposition that this document will have some public hearings during the break as well. It is certainly my intention as minister to travel the province with the consultation document as well and receive input and suggestions from landlords and tenants.

I look forward to the process whereby we can together work towards developing a long-term rent control system that will in fact offer real protection to tenants and deal with some of the real and legitimate concerns that landlords have about the system as well.

I appreciate the participation of all members of the Legislature and I certainly look forward to the public hearings process on this bill and the consultation document.

The Deputy Speaker: Mr Cooke has moved second reading of Bill 4, An Act to amend the Residential Rent Regulation Act, 1986.

Is it the pleasure of the House the motion carry?

Carried.

Shall the bill be ordered for third reading?

Hon Miss Martel: No.

Hon Mr Cooke: General government committee.

The Deputy Speaker: General government committee.

Agreed?

Mr Elston: Agreed.

Mrs Marland: On a point of order, Mr Speaker: I did hear the Minister of Housing refer to the committee that he would like Bill 4 to be referred to. However, I did not hear you take a vote on that referral. We wish to vote on that.

Hon Mr Cooke: There is no vote on the referral. The member is talking about the vote on second reading.

Mrs Marland: I certainly am.

Hon Mr Cooke: That is why we were looking to the opposition.

Mrs Marland: That is what we have been waiting for.

Hon Mr Cooke: They called the vote, but we will go back to it.

Mrs Cunningham: Go back.

Hon Mr Cooke: They called the vote.

Mrs Cunningham: That's why we called the point of order.

Mrs Marland: The vote was not called.

Ms Haslam: Yes, it was called.

Hon Mr Cooke: It was called.

Mrs Cunningham: We already made an agreement with the House leader.

The Deputy Speaker: Order. I did ask, "Shall the bill be ordered for third reading?"

Hon Mr Cooke: You also asked if the vote should be passed.

The Deputy Speaker: That is right. He suggested to which committee. I said, "Agreed?" and everybody agreed. Would you like to make a statement?

Hon Miss Martel: To resolve this, we would be perfectly willing to revert back a few steps so that the vote can be taken, because we all expected a vote to be taken here and I was rather surprised when it went along so well. So if we can get some agreement, we will have that happen. Okay?

The Deputy Speaker: Is there unanimous consent that the question be put again?

Shall the bill be ordered for third reading? Is it the pleasure of the House that second reading pass?

Mr Eves: No, we have to vote on second reading.

Hon Mr Cooke: Yes, we have to vote on second reading

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VISITOR

The Deputy Speaker: Before we vote, I would like to recognize a former member of this House, the former member for Grey, Ron Lipsett.

The House divided on Mr Cooke's motion for second reading of Bill 4, An Act to amend the Residential Rent Regulation Act, 1986, which was agreed to on the following vote:

Ayes—87

Akande, Beer, Bisson, Boyd, Brown, Buchanan, Calahan, Caplan, Carter, Charlton, Chiarelli, Christopherson, Churley, Cleary, Conway, Cooke, Cooper, Coppen, Dadamo, Drainville, Duignan, Elston, Farnan, Fawcett, Ferguson, Fletcher, Frankford, Gigantes, Grandmaître, Grier, Haeck, Hampton, Hansen, Harrington, Haslam, Henderson, Hope, Huget, Jamison, Johnson, Klopp, Kormos, Lankin, Laughren, Lessard.

Mackenzie, MacKinnon, Mahoney, Malkowski, Mamoliti, Marchese, Martel, Martin, Mathysen, McGuinty, McLeod, Miclash, Mills, Murdock, S., North, O'Connor, Offer, O'Neill, Y., Owens, Perruzza, Philip, E., Phillips, G., Poirier, Poole, Pouliot, Rae, Scott, Silipo, Sutherland, Swarbrick, Ward, B., Ward, M., Wark-Martyn, Waters, Wessenger, White, Wilson, F., Wilson, G., Winninger, Wiseman, Wood, Ziemba.

Nays—16

Arnott, Carr, Cunningham, Eves, Harnick, Harris, Jackson, Marland, McLean, Murdoch, B., Runciman, Stockwell, Tilson, Turnbull, Villeneuve, Wilson, J.

Bill ordered for standing committee on general government.

THIRD READINGS TROISIÈME LECTURE

The following bills were given third reading on motion:

Les motions de troisième lecture des projets de loi suivants sont adoptées :

Bill 9, An Act to authorize borrowing on the credit of the Consolidated Revenue Fund;

Projet de loi 9, Loi autorisant des emprunts garantis par le Trésor ;

Bill 10, An Act to amend the Corporations Tax Act;

Bill 11, An Act to amend the Income Tax Act.

RETAIL SALES TAX AMENDMENT ACT, 1990

Ms Wark-Martyn moved third reading of Bill 1, An Act to amend the Retail Sales Tax Act.

Mrs Y. O'Neill: I would like to make a few closing comments before we pass Bill 1. I would like to focus again today and just underline the complexity of this bill, the complexity that will be added to 250,000 retailers across this province, as they are going to implement this bill in less than a month.

I have continued to ask questions about the administrative costs of double accounting and double collection of two different taxes by the small business people across this province. I have asked questions about the impact studies that I feel have not been undertaken, impact studies in the businesses that have varied commodities, that have different pricing policies and some of these take place within the company itself. Yet in my opinion the impact studies in the implementation of this act are yet lacking in much of the detail necessary to give directions to these people.

We have not done surveys of these complexities and I am convinced, especially after yesterday's debate, that the \$500-million retail tax saving which we have talked about will in many ways be eaten up and consumed by the delivery costs of the 250,000 people who will have to collect this tax across this province.

My second concern is that the bill is going to allow the minister to bring about changes in regulations. The first are those that involve rebates. These of course will be done without public scrutiny for the first time, with no guarantee that there will be consultation with the tourists and tourism industry of the province, the hospitality industry, the convention industry. We do not know when these regulations will be forthcoming. It is a deep regret I have that the minister, in the many chances she has had and the opportunities in speaking to Bill 1, has nowhere shared with this House or indeed with the people who will have to implement Bill 1 any direction, any focus about how she is going to implement the regulations and the new powers that she has been given. I do feel this has created a sense of insecurity and in some cases I am sorry to say a sense of fear among some of the industries that I have just mentioned.

There are many sections of this bill that are still horrendously complex, and I just close my remarks today by asking—and I hope I will be heard—that the minister will with all her might help to clarify some of the uncertainties,

and certainly some of the lack of information—I do not think it is misinformation, I think it is just lack of information—for the general public about the implementation of this bill, Bill 1, and certainly that will accompany the GST on 1 January, less than two weeks away.

I would humbly suggest that work be done in the daily and weekly newspapers across this province to help the people understand the new taxation policies that Bill 1 is bringing forward that will harmonize with the GST and will indeed be something that the people of this province have to face every day as they walk the streets and do their shopping. I do think that somehow or other there has not been the clarification, and I do not know what the reasons are, because we have had many opportunities in this House. I have asked many questions, as have other members, and the answers we have had are much less than specific.

So my final remarks are that Bill 1 is complex. I hope this minister and this cabinet will do their best to help the people of Ontario understand what is being passed in this House today.

Motion agreed to.

EMPLOYMENT STANDARDS AMENDMENT ACT (PREGNANCY AND PARENTAL LEAVE), 1990

Mr Mackenzie moved third reading of Bill 14, An Act to amend the Employment Standards Act with respect to Pregnancy and Parental Leave.

The Deputy Speaker: Is it the pleasure of the House that the motion carry?

All those in favour will please say “aye.”

All those opposed will please say “nay.”

In my opinion the “ayes” have it.

Motion agreed to.

RESTOULE SNOWMOBILE CLUB ACT, 1990

Mr Eves moved second reading of Bill Pr9, An Act to revive the Restoule Snowmobile Club.

Motion agreed to.

Third reading also agreed to on motion.

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INTERLOCK PEOPLE LTD ACT, 1990

Mr Eves, on behalf of Mr Cousens, moved second reading of Bill Pr17, An Act to revive The Interlock People Ltd.

Motion agreed to.

Third reading also agreed to on motion.

CONYORK CONSTRUCTION & ENGINEERING LTD ACT, 1990

Mr Elston, on behalf of Ms Poole, moved second reading of Bill Pr18, An Act to revive Conyork Construction & Engineering Ltd.

Motion agreed to.

Third reading also agreed to on motion.

ORATORY OF SAINT PHILIP NERI-TORONTO ACT, 1990

Mr Mammoliti moved second reading of Bill Pr19, An Act respecting The Oratory of Saint Philip Neri-Toronto.

Motion agreed to.

Third reading also agreed to on motion.

CITY OF WINDSOR ACT, 1990

Mr Lessard moved second reading of Bill Pr21, An Act respecting the City of Windsor.

Motion agreed to.

Third reading also agreed to on motion.

GODERICH-EXETER RAILWAY COMPANY LIMITED ACT, 1990

Mr Klopp moved second reading of Bill Pr22, An Act respecting Goderich-Exeter Railway Company Limited.

Motion agreed to.

Third reading also agreed to on motion.

TOWN OF RICHMOND HILL ACT, 1990

Mr Elston, on behalf of Mr Sorbara, moved second reading of Bill Pr26, An Act respecting the Town of Richmond Hill.

Motion agreed to.

Third reading also agreed to on motion.

CITY OF VANIER ACT, 1990

Mr Grandmaître moved second reading of Bill Pr30, An Act respecting the City of Vanier.

Motion agreed.

Third reading also agreed to on motion.

CITY OF TORONTO ACT, 1990

Ms Churley moved second reading of Bill Pr32, An Act respecting the City of Toronto.

Motion agreed to.

Third reading also agreed to on motion.

LORDINA LIMITED ACT, 1990

Mr Eves moved second reading of Bill 45, An Act to revive Lordina Limited.

Motion agreed to.

Third reading also agreed to on motion.

LA CAPANNA HOMES (NON-PROFIT) INC ACT, 1990

Mr Ferguson moved second reading of Bill Pr 48, An Act to revive La Capanna Homes (Non-profit) Inc.

Motion agreed to.

Third reading also agreed to on motion.

CHILD AND FAMILY SUPPORT STATUTE LAW AMENDMENT ACT, 1990

LOI DE 1990 MODIFIANT LES LOIS RELATIVES AUX OBLIGATIONS ALIMENTAIRES

Mr Hampton moved second reading of Bill 17, An Act to amend the Law related to the Enforcement of Support and Custody Orders.

M. Hampton propose la deuxième lecture du projet de loi 17, Loi portant modification des lois relatives à l'exécution d'ordonnances alimentaires et de garde d'enfants.

Hon Mr Hampton: I am proud to move second reading of Bill 17, the Child and Family Support Statute Law Amendment Act, 1990, and I want to make a couple of preliminary comments to lead off the debate.

The amendments proposed by this bill will provide for a new method of payment of support obligations.

1610

In the future, each time a court makes an order for support, it will also make an order requiring payment by way of automatic deduction from income. This general principle will be subject to very limited exceptions. These exceptions will include cases in which the support payer is not in receipt of regular periodic income and cases where the parties agree to some other method of payment and the payer posts security which the court considers adequate. However, most new support orders made in Ontario in the future will be subject to the automatic support deduction plan. In these cases, support payments will be paid and collected in much the same way that income tax currently is, through payroll deduction.

The support deduction plan will also apply to support orders already made and to domestic contracts filed with the child and family support program upon the request of the recipient or where the program considers this to be the most practical enforcement alternative.

The amendments proposed by this bill seek to achieve a number of worthy and important goals. Most importantly, these amendments will fight child poverty by increasing compliance with support obligations.

The primary goal of the automatic support deduction plan is to ensure, wherever possible, a timely and regular flow of support payments to single parents and their children. We want to change the way society views the payment of child support and family support orders.

These amendments will establish child support and family support as a priority obligation. In addition to the major legislative reform that is being proposed, the child and family support program has already undertaken an aggressive campaign to deal with the current backlog of cases. I want to tell all members of the House that there is a dramatic backlog of cases—somewhere near 75,000 cases.

We are also launching a public awareness campaign to inform the public about this important issue.

The legislative amendments proposed by this bill constitute a major step forward in the fight against child poverty. I am gratified by the support we have already received for these proposals. I welcome and look forward to the comments of all members of this House on this legislation.

Mr Sorbara: I am glad to hear the comments of the Attorney General on second reading of Bill 17. His remarks were brief, but I think he has articulated accurately what the purpose of the legislation is. It appears that we are not going to have a significant debate on this bill in this

Legislature. I regret that a little bit. The timing of the debate is such that, looking forward to Christmas and the holiday-season time, I think probably this bill is not going to receive as much attention in the debate on principle as it would otherwise have and, I think, as it ought to have.

I am going to try to keep my comments relatively brief. I do have some things to say about the current operation of the office of the director and the administration of the program as it stands now. I noted that the Attorney General pointed out in his comments that there is a significant backlog. I think probably it is that backlog that has given rise to the presentation of this bill.

Before I get into that, I think it would have been appropriate for the Attorney General to have pointed out in his opening comments that this bill, which I think his government can take appropriate credit for, is really a project that had been begun, considered, reviewed, supported and approved by the previous government—

Mr Harnick: And the one before that.

Mr Sorbara: My friend the member for Willowdale says, "And the one before that." Unfortunately, my friend the member for Willowdale was not in this Parliament during the period 1985-90 and of course that was not the case. In fact, the government prior to our government was not considering this type of legislation.

Legislation is a dramatic departure, let it be pointed out, from the normal way in which orders of the court, whether they be support orders or any order for payment given by a civil court, are collected. Indeed, the initial legislation, which is the Support and Custody Orders Enforcement Act, was designed to overcome the very problem which the Attorney General now says he wants to overcome in a different way. That is, in family courts, or district courts as they used to be called, or in any court hearing a matrimonial matter dealing with the support of one spouse or another and the support of children arising from the marriage of the spouses who are before the court, those support orders had historically in this province been in large part often ignored by the spouse against whom the order was issued. As a result of that, our government brought forward the Support and Custody Orders Enforcement Act to create a mechanism to assist spouses to collect the payments due from spouses against whom an order had issued in respect of payment for support for both children and spouses.

The Attorney General said that there has developed a tremendous backlog, and that is right. If this legislation is able to put into place a better system and alleviate that backlog, it will have been successful. I simply want to tell the minister—who has now agreed, as the result of a brief conversation I had with him, that we will be considering this bill in the standing committee on administration of justice—that this bill alone is not going to be effective in doing what he wants to do unless there is a dramatic enhancement of the resources provided to the office and to the director for the administration of this program. Indeed, one of the problems that the office has had over a long period of time is insufficient resources to do the work that it was mandated to do.

This new bill allows—in fact requires—a court when it issues an order for support to have that order for support go to this office and requires the automatic deduction from payroll of the amount due periodically, whether it be weekly or monthly. So this is going to be a very busy office indeed. In fact, it is going to be like the income tax department, collecting payments, automatically deducted by employers, from all over the province. It is going to have to manage a new and dramatically different relationship with employers in order to ensure that those payments come in regularly—the amount of bookkeeping that is going to be required is very, very significant—and then to ensure that those payments get out in time from that office to the spouse who is the beneficiary of the order for support, and of course the children as well.

If the Attorney General believes that he is going to be able to solve these problems simply with this act and not a dramatic increase in resources available for that office, the Attorney General and all of those spouses who are looking forward to the implementation of this bill are going to be terribly disappointed.

1620

It is a massive undertaking. It is a dramatic departure from the way in which support orders have historically been dealt with, even with the office that we now have. I hope the Attorney General, during his remarks on second reading of this bill, will tell us that in the upcoming budget or upon passage of this legislation those resources will be made available to the office and to the director. In the absence of those resources, the spouses who uniformly applauded this bill around the province are going to be at the door of the Attorney General demanding that he do something to fulfil the promise that this bill was designed to fulfil.

I mentioned in my opening remarks that the proposal being brought forward now is really a proposal that was developed by the previous Attorney General, the member for St George-St David, in his last year as Attorney General of the province. I know that because I was part of both the cabinet committees and the cabinet that considered and approved this project.

There are some things that are different about this proposal, and I hope that we are going to be able to discuss those during committee hearings. There was a feature, for example, that was known in our discussions of this proposal as a mandatory so-called kick-out provision out of the system. That provision was designed to remove from the system those arrangements for support that were working perfectly well; that is, situations where there was no longer any indication that the payment of support from one spouse to the other would not be provided.

Apparently the new Attorney General and the NDP cabinet, in their wisdom, have decided not to include that provision in the bill, and I will be wanting to know from the Attorney General very specifically the reasons why he has removed that provision from the bill and he has not seen fit to make the administration of this system more effective than it will be under the provisions of Bill 17.

The other thing that I think ought to be mentioned during consideration of Bill 17 is that, in the absence of

employment, this bill has no effect at all. It is very nice to say that we will have a system requiring an automatic deduction from income against the income of the spouse who is required to support his or her former spouse; but if that spouse does not have a job, there is no income from which to deduct the required payments.

If there is anything that has happened in this province over the past six months, anything of real significance, it is the dramatic rise in the rate of unemployment. Last night I had an opportunity to participate in the holiday celebrations of the National Congress of Italian Canadians. I had an opportunity during those celebrations to meet a contractor who pleaded with me to listen to his problems. He told me that last year at this time he employed 450 people on a variety of construction sites. He told me that at present his workforce is made up of some 80 people and that shortly after the holidays he will have no workers working for him. His business opportunities will come to an end. That is just one small example of the extent to which this province is in the depths of a very serious recession.

Notwithstanding the promises made by the now Premier during the election campaign and his own acknowledgement that we were in a recession at that time—and his acknowledgement in this House that we are certainly in a deep recession and he is very dissatisfied with the fact that we are in a deep recession—we have seen nothing from this government to deal with the realities of the unemployed in this province.

The Premier has talked about some \$700-million fund that sooner or later is going to get spent. Maybe \$40 million will be spent this winter. That is an interesting figure, because about a month ago the Attorney General announced the expenditure of \$40 million to hire judges and crown attorneys to deal with a backlog of another sort, this time in our provincial courts and in our other criminal courts. He acknowledged at that time, I think in sort of a convoluted way, that it was not really very much but it was an expenditure that would help, along with a number of other initiatives, to deal with the court backlog. But what would it do? It would hire some 27 or so judges and some 40 or 50 crown attorneys. How many jobs is that? We have 450 jobs lost in the firm of one small contractor, and that story is repeated over and over again in virtually every single community in this province.

I remember during his days in opposition the member for Windsor-Riverside going on at length about plant closures in the Windsor area. What have we heard from this government about plant closures in the Windsor area since it has come to office? Virtually nothing.

If we do not do something urgently about the desperate situation in employment in this province, then for those mothers and those children who are expecting after the passage of this bill to have regular payments of support, the bill really is a sham; it will do nothing. It is of no assistance where the spouse who is supposed to be paying support has been laid off, has no income, has run out of unemployment insurance benefits and can possibly for a while call upon our system of welfare.

Let us get on with support and custody orders enforcement. Let us get on with this dramatic new intervention

into the workplace to say, "From now on, it's going to be a matter of course, if you owe support to your former spouse and your children, you are going to have to pay it, because it's going to be deducted from your income." It is unconscionable that a spouse who has an order against him or her does not pay that order—we all agree about that—and it is unconscionable that we have the kind of delays that we have in the current system.

We look to new adventures, to intervening in the workplace the way the income tax system does, to say, "We're going to take it before you get your cheque." I think the province's workplaces and workers and employers are going to be able to adjust to this. I think there is going to be some reaction. We are going to hear about that in committee, but let us get on with that.

But let us not pretend, as I think the Attorney General tried to pretend in his statement when he introduced the bill and in his statement today, that this is going to make some sort of important impact on child poverty. I regretted the fact that he referred to child poverty as an objective or as a goal he was going to alleviate. This is only a step in alleviating child poverty. Let us see what the government has to do to eliminate family poverty and poverty caused by the fact that workers in this province simply cannot find work.

This government announced \$40 million to hire judges and \$40 million to spend over the winter to deal with the recession. It is shocking for a New Democratic Party government—which in some respects should know more about the tragedy of unemployment and the tragedy of unemployability because of the lack of work—sit back and say, "Well, now, we are going to have a budget in the spring and we are going to consider these matters in our budget."

Mr Speaker, do you know what they are saying in my riding? In my riding, they are saying that this will probably be the hardest winter that Canada has seen in years and years. I do not think it is enough to say: "Well, we have just been elected; we didn't expect to be elected and we're not ready yet. After all, we're coming forward with a budget in April or May or some time in the spring and we're going to deal with those questions then. We're going to talk more about our tax system then and we're going to talk more about what we are going to do with the recession then."

What is going to have happened by that time? Workers will have lost their houses. Workers will have been unable to put food on the table for their families. Workers are going to have to suffer the humiliation of pleading for a meal at a food bank in Ontario. This is outrageous, that we have not had some response now. This is the second-last day that this Parliament meets before we adjourn for the holiday season.

1630

We have had all sorts of bills and all sorts of programs presented. Most of them, let's be fair, were initiatives that were not completed by the previous government when the previous government was defeated on 6 September, this Bill 17 included. But if we do not deal with the recession and the problem of unemployment, then what is going to

happen over the wintertime is that families are going to fall apart and the case load for the support and custody enforcement branch is going to increase dramatically, because the evidence is clear about the dramatic impact that the loss of a job and the inability to put food on the table, pay the rent and pay the mortgage can have on the stability of a family.

We do not need more studies on that. We know that SCOE is going to have a fabulously large case load because of the very recession that the government of the day refuses to do anything about. I know about high interest rates at the federal level and I know about the high level of the dollar, but we cannot do anything about that. That is out of our hands.

It may be politically opportune for the Premier to talk about that and to say that he has written to the Prime Minister and he has condemned John Crow in public, but the fact is that people are losing their jobs. These are people who perhaps for the first time in their lives have been both without work and without any prospect of finding work. These are construction workers, for example, who two years ago could, if they wished, work for 50, 60, 80, 100 hours a week. There was always work there. They were turning down work. Now they come to my office and they say to me: "Can you help me find a job? Do you have any influence? Can I work for the school board? Can I work for the town of Vaughan? I'm strong, I'm able, I'm out of work. I don't know what to do."

One of the things that is going to happen to those families is that they are going to suffer terrible pressure from not being able to provide the things that they want to provide for their children, with their own spouses. What happens? Marriages break down. Families cannot tolerate the pressure of not being able to provide. We know about it. We have seen historically for years and years that poverty is one of the single most important causes of family breakdown.

We are going to have a great system. This is good legislation from the Attorney General, developed by the previous Attorney General, to make sure that when there is an order for support, it gets deducted from income. I am glad we are doing it. I am glad we are going to be considering it for some time in committee. I think both I and my colleagues from the third party will have amendments to propose to make the bill a little better, and we are going to hear from the public.

But surely to God, as we think about another deduction from income, automatically registered against the income of the working people of this province where they are under a legal obligation to support their children and their spouses, we also ought to be thinking about income itself. The one shocking failure of this government over its first three months in office and its first month and a half in Parliament is that in the midst of perhaps the worst recession that some of us will ever have seen, the government's response has been no response at all.

Ms Haslam: I question the honourable member's grave concern when he talks about loss of jobs and the impact on the stability of families and the large demand on SCOE. What would he suggest? He is not in favour of another deduction, an automatic deduction. Perhaps the

alternative is to allow continued non-compliance and to let the most vulnerable in our society, the children and single parents, suffer because he thinks it is inappropriate to make an automatic deduction for their support. I wholly disagree.

I think this legislation is trying to look at the hard winter we have ahead of us and it is trying to say there are people who are going to be vulnerable out there and let us do something for those people. Those people are the children and those people are the single women raising those children who will be forced to go into a hard winter, harder if they do not have some visible support in this manner.

Ms S. Murdock: I would like to speak to the member for York Centre's comments, because I have worked as a constituency assistant for both Elie Martel and the member for Sudbury East for the past four years and too often have had to deal with the very cases that SCOE, and the present system of SCOE, have set up. I know that in the past year, for instance, prior to the election, we petitioned the previous government time and time again to do something about the mess that SCOE was; that the delay was unreasonable; that it took far too long to get cheques paid to them, the ones that they deserved. The previous government did nothing about it.

Yes, we are dealing with child poverty and it is child poverty that this bill speaks to, because it is feeding the children, it is making sure that they have a roof over their heads. It is caring for the kids, and the single-parent families are the ones that are seriously suffering with the present SCOE system.

This bill is this government's initiative, as far as I am concerned, because if we were not here on this side of the House, we would still be waiting for SCOE to be taken care of. This child and family act will lay SCOE to rest once and for all.

Hon Mr Hampton: I want to respond to the member for York Centre, because he did raise some issues that I think need to be responded to.

First of all, perhaps he was not listening when the bill was announced and introduced for first reading, but concomitant with the introduction of the bill, \$2 million in additional resources will be committed to the child and family support office.

I also want to point out to him that what payroll deduction will do is deal with the situations where there is money available. It will then allow the staff of the child and family support office to concentrate its work and their resources on areas where enforcement is difficult. What this plan will do is it will ensure that money will flow where money is available and it will free up the enforcement resources of the child and family support office to concentrate on those areas where there has been some difficulty for one reason or another.

I recognize we are in a recession; I think everyone recognizes that. I want to point out as well that studies show that in 80% of the cases support payers can pay support and that is the target, to zero in on the 80% of

support payers who can pay support. That is what the former government did not do.

I also want to make just a general comment. The member refers to the fact that we are in a recession and the government should be spending more money. I want to say this government would love to spend more money. The fact of the matter is that people who came before us governed this province in five years with the greatest wealth the province ever experienced and left us with a \$2.5-billion deficit.

1640

Mr Sorbara: Just to respond to my friend the member for Perth, I guess I did not make myself clear or she was not listening. I support this bill and I support automatic deductions. I saw the cabinet submission as it was initially drafted, I supported the previous Attorney General in moving the cabinet submission forward and I spoke vigorously in favour of it when it was considered by the previous cabinet. I am not complaining about income deduction. I think it is necessary and appropriate in this system. What I said, and I will say it to her again, is that if there is not an income, there is nothing from which you can deduct, and that is the real issue that we are confronted with in this province at this time.

My friend the member for Sudbury, like all members, will be dealing with these problems, not as a constituency assistant any more but as a member. She will see that if the Attorney General is only going to put \$2 million into this new system, her constituency assistants are going to have problems five years from now.

I want to tell the Attorney General in conclusion that he must not be satisfied with an additional \$2 million in the system. He is setting up a very sophisticated bureaucracy here. An additional infusion of \$2 million is not going to buy him the kind of staff resources and machinery to make all of these deductions and to make this system work, and I want to put him on notice that we are going to be examining very, very carefully during committee hearings of this bill the kind of administrative system that is going to be put into place.

We have a tax system that makes automatic deductions and that is a very expensive system to operate, and we all know that can break down and those computers can get it wrong. His new system has to be resourced in a way to make sure that he and the people who are relying on it get it right, and we are going to stand for nothing less.

Mr Harnick: Mr Speaker, I thank you for the opportunity to rise today and speak to Bill 17, the Child and Family Support Statute Law Amendment Act, 1990. As you are undoubtedly aware, the function of the support and custody office is one of immense importance to the 100,000 children which it serves. Without an effectively functioning support and custody program in the province, these children and their custodial parents would be left in a world of not enough. It is the job of the support and custody office to ensure that this does not happen.

Due to the high costs associated with enforcement, many people legally entitled to support have traditionally been unable to take the steps necessary to ensure that their

rights are upheld. The vast majority of these individuals are women and many of them are single parents living below the poverty line. This makes the successful completion of tasks assigned to the support and custody office of vital importance. Every day there are 60 divorce cases granted in the province of Ontario and support orders dating back two years or more are being registered with the support and custody enforcement office at the rate of 1,000 per month.

Unfortunately, the success of the office has been woefully inadequate. The prime reason for this, as the member for Rainy River pointed out prior to the election, is an absence of adequate resources. The dedicated staff of the support and custody enforcement office cannot keep up with the demand for their services. There are simply too many deadbeat dads out there. The member for Rainy River has suggested that it would be necessary to double the current budget of \$14 million if the office is going to be able to do what it is supposed to do. It is somewhat interesting to note that since he now bears the responsibility for this program, he has changed his mind.

The idea of \$2 million in additional expenditure is somewhat like spitting in the ocean. The support and custody office currently has some 81,000 orders on file, of which 75% are in default. This 75% cumulatively owes \$334 million in arrears. The Attorney General has said that this bill will allow the office to improve the efficiency of the support program to 60%.

Even the current 75% rate of arrears is an improvement over the situation of just a couple of short years ago. In 1985, it was the then Progressive Conservative Attorney General Alan Pope, then member for Cochrane South, who introduced legislation designed to create the Support and Custody Orders Enforcement office. When Mr Pope introduced the legislation to establish the Support and Custody Orders Enforcement office, there was no program of its like in Ontario, and it promised great things for families victimized by unwilling support payers. Unfortunately, the Liberal government that finally did establish the office left it tragically underfunded and without sufficient staff. In later years, one of the most often-heard complaints by members' offices from constituents was that those who had the need to talk with the enforcement office were unable to even get through on the telephone. The Liberal response to this was to install a new phone system with touch-tone phones—not an adequate response.

I must, however, give credit to the member for St. George-St. David, who recognized the importance of this operation when he established it in 1987, two years after the Conservative legislation, and noted: "The effective enforcement of support and custody orders isn't simply a women's issue. It is a family issue. Matters of support and custody are vitally important to the wellbeing and successful rearing of our children and I am confident that this program will help to facilitate those needs."

He was right. This program does help to facilitate those needs, except that it now needs fine-tuning. For such an important program, which has only been in place for five years, I can accept that it is now necessary to fine-tune it.

It seems only a short time ago that this House was engaged in a similar debate over Bill 124, the Children's Law Reform Amendment Act. This government has said that it will not bring Bill 124 into force, and it must be congratulated for this. Bill 124 was a bad response to some very real problems. It was bad because it placed unrealistic expectations on the court system and failed to address the issues of supervised access, access rights of grandparents and the mediation process. The problems of the backlogged court system that we have seen thus far in Ontario would be nothing in comparison with the backlogs the system would experience had Bill 124 been brought into force.

Because the government will not be bringing Bill 124 into force, there is an issue which I would like to comment upon in addition to support enforcement, and that is access rights. While this is not a part of the bill before the House today, it is a corollary issue and should be addressed.

The decision not to bring Bill 124 into effect forces the members of this House to look once again at the issue of custody enforcement. What Bill 124 had hoped to do was to give some strength to the other mandate of the support office, for let us not forget that it also bears responsibility for custody enforcement.

As it now stands, a person who has been denied access can apply to the courts to have the offending parent found guilty of contempt of court for violating the original court order on custody. However, the only penalties available to the courts are jail sentences and fines and the courts are obviously reluctant to send a custodial parent to jail or impose financial penalties on him, in the logical belief that such actions would not be in the best interests of the children. As a result, the current process is slow, cumbersome, expensive and seldom results in improved access. Bill 124 sought to change this by establishing a series of deadlines to which the court had to respond in order to guarantee access, such as the hearing of a complaint within 10 days of filing.

Unfortunately, the previous government was somewhat unrealistic in its expectations of the ability of the court. In order for Bill 124 to work effectively in this manner, it required sufficient courts, judges and court reporters to handle the increased workload and short deadlines for hearing of the motions. As recent experience has shown us, this is more a romantic view of the courts than one grounded in fact. As this government has rejected Bill 124, it now becomes necessary for it to deal with what is left in its place, and that is nothing.

It is now the responsibility of this government to introduce new legislation to deal with the issue of access. As it stands currently, non-custodial parents are left with two options for enforcing access provisions. One of these is the courts, yet this is ineffectual because of the reluctance to put custodial parents in jail, as well as the extreme delays in the judicial process. The other option is withholding support payments. This is a distasteful method of attempting to enforce access provisions and one which we are better off without. Bill 17 rightfully removes this as an option for support payers. With the absence of Bill 124, it is the very real and very important responsibility of this government

to introduce new measures to deal with access rights for non-custodial parents and grandparents.

My party has a strong history in the area of support and custody. In 1985 it was the Progressive Conservative Attorney General, the member for Cochrane South, who introduced legislation to create the support and custody enforcement office.

1650

In 1987 two private members' bills were introduced by members of this party. One bill, Bill 45, was introduced by the current member for Markham and sought to amend Bill 124 by clarifying the duties and qualifications of the mediators in child access disputes and establishing access rights for grandparents.

In November 1987 the member for Oakville South, Terry O'Connor, introduced a private member's bill, the Children's Law Reform Amendment Act, 1987, suggesting the funding of supervised access centres and encouraging the mediation process.

During committee hearings into Bill 124, Conservative members of that committee sought amendments to establish supervised access centres and to improve the mediation process. However, the Liberal members, who were in the majority on that committee, ensured that the bill remained unamended. When this government does introduce new legislation to deal with the issue of access, and I hope that is soon, I hope it will bear these issues in mind and craft the legislation accordingly.

But the bill before us now is not without flaw either. What this bill seeks to do is to remove the middleman in the garnishment of wages for support payments. This reduces the administrative load of the support and custody office, enabling it to better spend its time chasing down the 75% of support payers defaulting on their payments. This is good, but the price is that 25% of support payers who are registered with the program and do regularly make their payments are going to have their wages, in effect, garnisheed also.

I know the government says that there is no stigma attached to this program and that no one will ever know because of the confidentiality provisions accompanying the legislation, but I am sorry, it does not work that way in the real world. In a large company, where there are many hundreds or thousands of employees, perhaps the employee is just a number and he gets lost in the shuffle and it has no effect on him, but most employees work for small companies and the reality is that there is very little personal information not widely known by co-workers.

The government holds that mass collection of these orders, like income tax or pension contributions, will remove the stigma attached with garnishment of wages. I am sorry, but I do not agree. Where a person has demonstrated in the past that he is willing and able to make his payments regularly in accordance with the requirements of the order, my party and I believe he should be allowed to continue to do so. Certainly, the problems associated with divorce, separation and custody battles are damaging enough to individuals. Is it really the role of the government to seek to remove any last shreds of self-esteem remaining? I do not think so.

To this end, I will be introducing two amendments to the bill. The first amendment seeks to allow those persons who are currently meeting the provisions of their support and custody orders to pay them directly to the director, without automatic collection. It is the responsibility of the director to forward these payments on to the support recipient.

In this manner, an individual who has demonstrated the willingness and the ability to make payments shall not be penalized for the 75% who are not. By making the payments through the office of the director, it still ensures that the director has control over the situation. As part of this amendment there will also be the proviso that if there is a single aberration from the order without explanation deemed reasonable by the director, the director will have the power to revert automatically to a direct collection method. In this manner, the recipient gets the support, the director maintains control and the support payer retains his or her dignity. I ask, where is the harm in that?

Similarly, the second amendment that I will be introducing will allow new support payers the similar dignity of presuming the willingness and ability to make payments, providing that the court is satisfied the debtor is likely to make the payments. As such, unless the court deems otherwise, first-time payers will be able to voluntarily make their payments directly to the director without presumption of guilt. Once again, a single failure to make payment without reasonable explanation will result in the imposition of automatic support collection.

These amendments are designed and intended to protect the rights and dignity of the responsible 25% of support payers who do meet the requirements of their support orders. Certainly, those who demonstrate that they are not willing to meet the provisions of their payment orders should be subject to automatic collection procedures. I would hope that my fellow members will agree with me and support these amendments.

There are other problems with this bill that may be dealt with through amendment or through regulation and I would hope the government would do so. One of these is the problem of collection from the self-employed. The bill provides for automatic collection where there is a regular income source or even where there are interim income sources, but fails to collect adequately from the self-employed. I would hope that the government would be able to determine some method of ensuring that this is not just a plan the middle class is subject to.

Additionally, the bill makes provision for the collection of orders from outside the province, providing that they are duly registered under the Reciprocal Enforcement of Maintenance Orders Act, 1982. All of the provinces of Canada have agreed to enforce such provisions on behalf of each other. However, as Ontario is one of the few provinces to have such an office, the actual rate of collection outside of the province is far from satisfactory. To this end, I would urge the government to seek some method of successfully collecting these orders outside the province as well, in order that we do not continue to see support payers moving outside of the provincial jurisdiction in order to avoid payment.

Hopefully, with the increase in efficiency of the support program to 60%, as the Attorney General has promised us, the officers of that program will be better able to seek collection out of province.

Finally, the real problem surrounding this issue is one of attitude. The previous government was quite successful in changing public attitudes surrounding the issue of spousal assault. Their advertising campaign "Wife assault: It's a crime" has been successful to a significant degree. Public attitudes and perceptions towards this issue are changing, and for the better. Similarly, it is necessary to change public attitudes and perceptions towards the payment of support, because there are 100,000 children who depend on it.

Child poverty is a very real problem in this province and one that support compliance could go a long way to reduce. Perhaps a similar advertising campaign is called for such as "Default on support: It's a crime." And it is a crime. It says so in section 11 of the act. What we need to do is to begin enforcing the act. Defaulters must be made to recognize that such default is a crime punishable by imprisonment. It is a crime against the law and against those who are dependent on the support.

It is only through a change in public attitudes that it will be possible to break the cycle of child poverty which is in part created by spousal default. I urge the government to become more proactive in ensuring that we work towards changing such attitudes.

The Acting Speaker (Mr Villeneuve): Questions and comments?

Mr Cousens: I appreciate very much the direction that the critic for the Ontario Progressive Conservative caucus is taking with his amendment. It is a very careful amendment. I would like to comment on it and I would like him to elaborate further. I know he will have ample opportunity when this goes to committee of the whole House.

What I see the member bringing forward is a philosophy of government that says, "Don't try to give the full, broad-brush treatment to everybody." If 75% of people are not maintaining their payments as they should, then let's look after them. If 25% are properly following through in fulfilling their obligations, why treat them in a way that they do not necessarily have to be treated?

What this honourable member has brought forward is an amendment to this bill that will hopefully address the one group that is the problem group, and that recognizes there is another group that has been responsibly handling its obligations. I would have to say that I appreciate the kind of leadership that the member for Willowdale is bringing to the House with this kind of thinking. It is unfortunate that government has to get so involved in everything. Let's deal with the areas where there are problems. Where there are no problems, is there not a better way of handling it?

If he could elaborate upon that and give us some of the background to it, this might be an appropriate time to comment on it. I appreciate the remarks he made and I appreciate

also the kind of balance and perspective he is bringing to this bill.

1700

Hon Mr Hampton: I want to respond just briefly to the member for Willowdale. I want to point out to him that I agree with him. While I was in opposition I frequently criticized the support and custody enforcement office. In fact, we had a regular organized critique. At least one of us each week had something to say about SCOE.

I want to point out to him, as I pointed out to the critic for the Liberal Party, that the government is committing \$2 million right now to begin to deal with the backlog. When the child and family support plan comes into effect we will be committing a further \$3 million to ensure that the program will have the sufficient funds to work.

I also want to point out that the idea behind making income deduction a mandatory system is to do precisely what the member for Willowdale is concerned about, and that is to remove the stigma. If we can establish over the next two years a system that has won the acceptance that income tax has won in terms of income deduction, then there should not be a stigma for anyone.

The second point I want to make is this: Again, studies have shown that 80% of the support payers have the financial capacity to pay support. If through income deduction we can reach that 80%, the people who now work at the child and family support office will then be able to use their hours, their time and their resources to look after the other 20%.

I look forward to any helpful suggestions the member has, particularly in committee.

Mr Harnick: I note that the Attorney General, and quite rightly, says that there is no stigma in terms of income tax. Income tax is not a penalty.

Hon Mr Hampton: And this won't be a penalty either.

Mr Harnick: This will not be a penalty either, but income tax for some reason has associated with it the long arm of the law. If you do not pay your taxes, you go to jail. I hope that the Attorney General—I alluded to it in my remarks, probably not in emphatic enough detail—will start to use the provisions of section 11 and ensure that those who do not pay go to jail, because if 80% are able to pay—I accept that; I am sure the minister knows that; I do not, but I am sure he is accurate—if 80% have the ability to pay and the large percentage are not paying, they will pay if they know they must go to jail.

I do not think it is overreacting to say that this section has to be used, because the public's perception of this problem must be changed and it must be changed very quickly or this office will be inundated again and backlogged again to the point where they cannot dig themselves out. So I hope the minister will enforce the legislation. The old legislation, the legislation the Liberals brought in, had those provisions but it was never enforced, and without enforcing it, it has no teeth. It is very important that we establish a system of deterrents and respect for this legislation.

Hon Ms Swarbrick: As the minister for women's issues, I am delighted to be able to support Bill 17, the Child and Family Support Statute Law Amendment Act. I am extremely pleased with its provisions for automatic support deductions from paycheques of parents who have been ordered by courts to pay them.

This bill will have tremendous significance for both women and their children. As has been pointed out, there are now 77,000 support orders on file with only 25% compliance, with 75% non-compliance, something that should be seen as a social crime.

A study that was recently done by the Canadian Institute for Research in Alberta showed that this non-compliance is not the result of inability to pay. As the Attorney General just mentioned a moment ago, 80% of those with support orders against them are perfectly capable of paying. Unfortunately, they do not transmit that money to the women and children who need it, leading those women and children often to end up living in poverty.

The National Council of Welfare released a report in the summer of 1990 called *Women and Poverty Revisited* which stated, "Small as they are, support payments make a significant difference: 58% of the divorced and separated women who received them lived in poverty in 1986 compared with 75% of the women who did not." These support payments make a real difference as to whether women and children live above or below the poverty line. There are so many hovering right around it.

The failure of payment of support is a significant factor in the number of children who are living in poverty in Ontario, especially when we consider that 75% non-compliance in light of the 100,000 children who are involved in support orders on file. This is a crucial contributor to child poverty in Ontario. Of support orders, 89% do involve child support.

I believe that all of Ontario's taxpayers will welcome this new Child and Family Support Statute Law Amendment Act as they learn that it will mean fewer Ontario women and children are forced to rely on the welfare system for assistance. The National Council of Welfare has also pointed out that single-parent mothers who receive even modest amounts of support stay on welfare for much shorter periods than those who receive no support.

The national council has also stated that unless Canada strengthens fathers' obligations and government support to single-parent families, rising rates of marriage breakdowns will continue to shift an ever-growing share of responsibility for children on to the shoulders of society's poorest parents—single mothers. In fact, we have to remember that 85% of all single-parent families are headed by women.

My government is proud to continue to be doing its part to strengthen fathers' obligations and to help create more equal relationships between men and women, including sharing in the responsibility for the parenting and care of children.

Research in the United States demonstrates that automatic support deduction increases collections, reduces default, prevents arrears from being caused and accumulated, and prevents the monthly crises that occur in the

families of those single-parent women with children when that money does not come in.

It is this automatic support deduction program and the very nature of it being automatic and universally applied to all that will help in itself to strengthen the public image of paying child support as being a legal and a moral imperative. It appears to me that it is the universality of that automatic support deduction program that will ensure there is no stigma.

If we can provide for automatic support deduction for things like income tax and for benefits for employees and their families when they are together as a family, we certainly can provide for it in the same universal nature with regard to the support of children following marriage dissolution. It is crucial, I believe, to change our whole social attitude towards the payment of child support and family support, so that it is something that is universally applied to all.

1710

The child and family support program will mean that women will not be reduced to being supplicants, as we have been so often in the past, so frequently forced to go through the cost and the bureaucracy of both the court system and the welfare system to obtain the support payments that are due to them.

Bill 17 is one more step along the road to creating equal relationships and equal responsibilities between men and women. It is another step towards truly civilizing us as a society, in my opinion.

The other parties, especially the official opposition party, have made some reference to taking credit for this program, saying that the idea is one that has been around for some time. In fact, it is; it is one that we in opposition hammered home and one that the past government refused to act upon, one that the past government did nothing about.

I would like to conclude by commending the Attorney General for introducing this bill so early in the life of this new government and for the public awareness campaign that he has indicated to us he will soon be launching.

Mr Cousens: This is my first chance to recognize the fact that the member for Scarborough West once ran in 1987 in the riding of Markham. I publicly want to congratulate her on her appointment to cabinet and also on winning the last election in Scarborough West. I think she is an excellent asset to the Rae government.

Having given a compliment, maybe I can get an answer from her on one little matter. I do not think the Attorney General would have brought forward this legislation if it were not for this member's being in the cabinet because, quite candidly, I have to believe she has a strong and true commitment to issues that go beyond just women's issues.

This is a family issue and I happen to know the minister as a very balanced person. I do not want to give compliments to the NDP but I have to, though, because the minister is a very special, good person. Did she personally convince him to table this legislation quickly, and how did she do it?

Mr Sorbara: As long as we have the member for Markham up congratulating the new Minister without Portfolio responsible for women's issues, I just want to say that I remember that campaign in which the now member for Scarborough West was contesting the seat in Markham, trying to unseat the incumbent member for Markham.

I am glad she moved for the 1990 campaign to the riding of Scarborough West because we have thought of innumerable ways to try to unseat the member for Markham. I think probably the current member for Scarborough West had the best opportunity in 1987, and I really wish she had done a better job then. We would have welcomed her here during the last Parliament, even though we all enjoy the comments, irrelevant as they are, from the member for Markham.

I look forward to the answer she is going to give to the member for Markham on whether it was her intervention in cabinet that really tipped the balance in the debates that went on there. I think probably she is not going to answer the question because that would be a breach of the solidarity and the prohibition against discussing the way in which decisions are made in cabinet.

There is only one minister who tends to do that now, the Minister of Consumer and Commercial Relations, who, when asked just about anything, runs off at the mouth and says the most outrageous things, but of course he is not going to be in cabinet long and there will be an opportunity.

As I was once the minister responsible for women's issues and thereafter moved to the Ministry of Consumer and Commercial Relations, I simply want to tell the minister responsible for women's issues that she may shortly be taking on a new role in cabinet, replacing the Minister of Consumer and Commercial Relations, and she can continue to be an advocate for women's issues in that new role.

Hon Ms Swarbrick: I would simply like to begin by thanking the member for Markham, whom I did enjoy very much running against, for his lovely compliments at the beginning. I would like to assure him that I am quite pleased to answer the question he put. I was totally thrilled that the Attorney General introduced this legislation before I had time to even think to be able to get over to talk to him about it. I am extremely pleased with the collegial nature of the workings of this government and the initiative of my brother, who holds the position of Attorney General.

Mr Cousens: This is a bill that has tremendous importance and, like the critic for our party, I will be supporting it, but I would like to comment on it in a number of ways—

Mr Sorbara: Tell us how you feel about it.

Mr Cousens: I am coming to that. The honourable member for York Centre will find that I am not short on words. I will at least try to keep them on subject for my honourable friend and neighbour. I know that is very difficult.

I believe the government has brought forward an important piece of legislation to help catch up in an area in which there has not been action taken. When we start

seeing the statistics they had to offer on it, there is no doubt that we have a problem. When we have 100,000 children being affected and 89% of the orders not being followed, it is time we addressed it. I appreciate the fact that the Attorney General has taken to this very quickly, as the member for Scarborough West has indicated. It is no accident that he did it. It is something he has obviously been thinking about.

I have been following the Attorney General with a close eye, not being a lawyer myself, but I have been with him on committees on a number of occasions with Bill 124 and a few other issues. I appreciate the fact that he has begun to do some of the things that the Liberals never did, and one of those things has to be to clear up the backlog in the courts. I hope he is successful in that.

When we were in the standing committee on public accounts earlier this year, I had assurances from the deputy minister in the Ministry of the Attorney General that action was being taken that would begin to remedy the problems in the courts. The fact is they failed to do that. Maybe the Attorney General's action now is a further step in the right direction.

Bill 17 has to be seen in the context of something that is going on within our society right now that goes beyond purely the needs of the children who are involved in a marital breakup. I think we also have to look at the whole relationship. When a couple decides to break up and the children are involved, every one of us in this House has seen it happen—we have seen it happen within our families, we have seen it happen within our communities, with our neighbours and our friends—we know the amount of hurt that comes out of it and how painful and agonizing this whole thing is.

It is almost worse than a death some times for those people who are caught in the legal entanglements that follow, who are separated from the children they love, with the pain of not being able to see each other when they want to, the cost that goes into it, the economic hardship, the whole ripple effect that goes on with the estranged children when they are with one parent or the other. They have to learn an awful lot that a family which is still together does not have to learn. How difficult that must be and how difficult it is for young people within our society.

I guess it has been so in every society. It has been there because of accidents in the past. It has been there because of disease, sickness and problems in a different age. But it is present in our society in a huge way with the number of divorces that are taking place. It is not for us to pass judgement on that. That is not my job and it is not our job as legislators to pass judgement. It is our job to make sure that we responsibly look after our society, our communities.

1720

I think of the failure in Rome that had to do with the breakup of the family and the small unit, the nuclear unit, that was the family. I know that the definition of "family" has changed a great deal in recent years. The Minister of Labour would give us a new definition of family, which I find rather difficult as it would pertain to adoption proces-

ses; we touched upon it yesterday and there will be plenty of opportunity to get to that later.

We are talking, though, about the drama, the never-ending saga for those people who are caught up as the children are growing up and they want to have some way of reconciling this family unit, and we can do it. You have to have the financial component in place, but you also have to have the other parts, which are the social, psychological and the spiritual, considered when you are looking at people's needs.

The problem we have with this bill, if I have any major concern with it, is that it is dealing exclusively with the financial unit, which is important. It is an aspect that goes into the ongoing care and responsibility for the members of the family, the separated members and the new families that evolve out of that. But I truly hope that the Attorney General quickly addresses other concerns that pertain to custody and access and where we, as a responsible group of legislators, as a whole three-party system, hopefully can come up with some resolution to this problem that says there has got to be a way in meeting the needs of access.

At the present time, probably the most punitive thing that happens—and you see it with both men and women—it is that when someone is not maintaining the commitment, the trust, the responsibility, to get him or her back the other party says: "Okay, I will get you back. You cannot see the kids." They may not say that. Though they have gained access to the children through a court order, come Friday night 5 o'clock the parent comes up all ready to meet the children and do something with them and the children are not there, the former spouse is not there. So they wait around and then they go away and have one of those terrible nights by themselves because they did not have a chance to see their children whom they thought they would be seeing, whom they were entitled to see through the access order.

So the next Friday night they have another date, and this is the entitlement that this parent has for a couple of hours or several hours or a night or something, and the children do not appear. I have to tell members this is a terribly agonizing part of what is going on and the pain of our society, because there are parents who are out there right now who have not seen their children, cannot see their children and will not see their children because someone is breaking the access rule.

The way the law is set up there is no easy recourse for them. Unfortunately, some of the 89% of those people who are failing to fulfil their financial obligations are using finances to punish the other spouse and the children. I do not know whether that is the case but I am assuming that is the case, because that is their only way of retaliating. That is wrong, because they have accepted a responsibility, a financial responsibility, for their family and it is their duty and their obligation to society and to themselves and to all of us to fulfil that responsibility and obligation.

But how do you fight back? There is no real way for people to fight back when in fact the other party has cut access to their children. What happens now is that you can go back to court and try to seek some redress of the other party for violating the original court order, and the

penalties under the law as it stands now provide for contempt of court or for a fine or a jail sentence. For parents who have children, who wants to break them up any more by putting them in jail? Most of them do not have much money, so there is not much use in imposing a fine. So we end up still having the problem existing.

The current law provides no method for resolving access disputes when the custodial parent has reasonable grounds for denying access. And there are occasions when a reasonable parent is concerned that there is violence, there is alcoholism, there is the possibility of a kidnapping and taking away for longer. We are talking about one of the most horrible things that goes on in our society when there is a marital breakup. We as legislators owe it to all our society to deal with it honestly, openly and quickly, and not just drag our feet for an extended period of time.

It is something we have to deal with, because if we are talking right now about 100,000 children in the province of Ontario who are afflicted with the problem of the fact that their parents have broken up and they are financially suffering because of it, there is also emotional suffering and social suffering and other forms of hurt that we can begin to deal with in a proper way if we have a better way of resolving the access issue.

Our current law provides no method for the custodial parent to seek redress against the other parent if that parent infrequently exercises rights of access granted in the original court order. So I have to say, though this issue of access is not part of the bill, it should be part of the government's agenda to deal with the whole issue of what goes on when there is a marriage breakup.

I just have to say that it is draconian and it is wrong. It is almost like the kind of thing we saw in the Soviet Union or thought was going on. I am not sure what happens there any more because they are changing quickly and we are very slow to change. We will drag our feet, we will have the lawyers involved and we will get everybody involved and then we will have the three parties mushing around on the issue and it might take us years to get this out of the Legislature and into the committee. I hope it does not take that long. I hope we can have some kind of awakening that allows us to respond to the issue of these children, these families and these people, that takes a step further than we have been going in the past.

I commend the Attorney General for the effort he is taking in that part of the equation that deals with the finances, but I have to say—and how can you demand it; you cannot—that I plead with the Attorney General and I plead with the government to go a step further and look into access, to deal with it quickly, to deal with it intelligently, to deal with it in a balanced way. I realize the problems we had with Bill 124, which was the bill on access that was prepared by the now defunct Liberals. It is going to be buried.

Hon Mr Hampton: Do you mean the rump?

Mr Cousens: I do not know what one would call it. They are dead. The only person alive over there is the member for York Centre, my neighbour from the southern part of York region. He is always alive and well, and he

even got to a barber this week, so I am really proud of him. That is his Christmas cut.

Mr Sorbara: Mr Speaker, on a point of order: I did get to a barber this week, and the fact is that the member for Markham rarely needs to get to a barber. I just thought I would point that out.

Mr Cousens: After what he did to you, I do not want to go to the same one, because I will not have anything.

I am talking about a very important bill—and I am sorry, I did go off topic. The fact is the Liberals came out with Bill 124. We went through committee hearings, we talked about access, we talked about mediation, we considered ways in which we in the opposition would participate in a marvellous way, hopefully, to try to come up with something. We came forward with amendments and they were all voted down, but at least we had a chance to talk about it. Then they went through with this bill that they had to ramrod through committee and then they did not even have it proclaimed.

There are a lot of things that went wrong, but part of it has to do with the fact that the Liberal government that existed here up until 6 September failed seriously in dealing with access. I have to put this government on notice: do not do the same thing.

We are talking about grandparents who want to have access. We are talking about supervised access centres. We are looking at the possibility of court-appointed mediators who can help put together recommendations to assist these people in resolving the access problems and other issues that come out of access disputes. We are looking for ways in which mediation can pose a clear opportunity for opening up dialogue between the people.

1730

The government that just got defeated on 6 September failed to do that. I entreat the Attorney General and those people around him to consider very seriously what can be done with access. I appreciate the fact that the member for Willowdale, our own critic of the Attorney General, has raised this as an issue, and I think that begins to be part of it.

I just want to touch very briefly on some of the concerns I have with Bill 17. If this government runs the administration of this whole thing and starts looking at the support deduction order which comes through, I would have to say please do not let the people in the rent control system put together the computer system.

I have never seen a bureaucracy, with a heap of money, create a bigger backlog and wreck a system more than the previous government did with the rent control system. When they took power in 1985 it cost \$8 million to run the rent control. At the end of five years they were spending over \$40 million. That is a factor of five increase, and they still had the backlog, they still could not look after the renters and they still did not have the systems in order.

When the Attorney General gets to work on this for the deduction order, he should put together some systems that are going to work and that understand the need for dealing very sensitively with the dollars and cents that these people have. When there is a court order that requires a

deduction to be made, that should be up to date quickly. Let's not get caught in a backlog that goes on and on.

The backlog we had in the whole rental system was for years. You cannot even afford weeks on this issue, because what you are dealing with is a matter of just sustaining your lifestyle, keeping things going. Most people in the province of Ontario are just one paycheque away from bankruptcy. They do not have that much money—life is tough out there—maybe two paycheques for the odd MPP. The Conservative caucus is half a paycheque away from bankruptcy; if you look at our party debt, that really puts all of us in debt.

The fact of the matter is, things are tight out there; people do not have spare cash. The minister should not allow his deduction system to drag along so that people are not able to have a quick response to it.

I have a good feeling that the amendment being put forward by our party, which would call for 75% of the defaulters to have to pay, is probably not going to carry; but if it does, then we will have only 75% of the problem. We would have some way of relieving some of the overload of work we are about to bite off.

I am saying strongly to make sure the administrative systems for this project are implemented correctly and well and can be responsive to the needs of those people who are going to be obliged to participate in it.

I really do not think the minister can just say he is going to throw \$2 million at it and say he has got it solved. I think he had better make sure he has got his best bureaucrats working on that project to ensure that when the system goes in it is going to work, it is going to work quickly and it is not something we are going to have to look at very quickly in the standing committee on public accounts. In fact, that reminds me, I will make sure the Provincial Auditor is monitoring this one closely.

My second point is on administration. We, the government—I am not a government, I am an MPP and I have tried to keep the government honest; that was a Freudian slip—we are putting more and more of a load on employers in having to do the government's work for them. Unfortunately, this is one of those cases where I do not see any other way around it. The employers are collecting the Ontario provincial sales tax, they are going to have to collect the GST shortly, they have to collect the workers' compensation and they have to pay separately for their health insurance benefits. There are all kinds of deductions they have to make.

Some time there is going to have to be a limit on how much we oblige employers to do. It costs them something to do it, but I see this as a societal obligation. The minister should make sure in this case that his administrative systems are not going to be difficult to understand, difficult to read or an extra effort for employers to handle. He should make sure the needs are related to employers effectively and well.

My third point about Bill 17 concerns the retroactivity of this bill. I said last night, when we were talking about Bill 4, that I deplore the whole possibility of retroactive legislation. Is there any way, when we are looking at this bill in detail, that we can talk about the time when it is

going to be implemented? It has to be coincident with the computer systems being up and running and able to do the proper collection procedures. If they start implementing the bill too early and they do not have the systems in place to make it happen, then it is going to cause hardship that could have been averted had it been planned properly. I hope our own critic, the member for Willowdale, and others will be looking at that one closely.

My other point has to do with whether there is any way in which the system can address those who are self-employed, who might be able to otherwise escape the rules and regulations under this legislation. I have no idea how the government is going to do that, but I hope that the minister, who is in the House, will have a chance to consider that.

There are two other issues that relate to this bill and that I would like to see faced up to. I am a Canadian first, proud to be a Canadian, and the fact that I am a Canadian first and a member of the Legislature for the province of Ontario puts it in perspective: Canada and then Ontario.

They are trying to get me to hurry up. There is too much to deal with on this, and I have no intention of cutting short the opportunity of making a few more points; so thank you very much for all the signals. I think we are okay until midnight, are we not?

The first issue is something that should be addressed by everyone in Canada; that is, why can we not begin to have arrangements with all the other provinces for those people who try to escape their responsibilities by moving out of Ontario in order to escape the provisions that the court has put on them? There is no way, when you move to another jurisdiction inside Canada, unless I am missing a factor—I have so many spouses who are looking for alimony payments and other payments but, because their former spouse is living now in British Columbia or another province, how can you get them to be paid? Can that be done? Is that being handled? Is that going to be handled? I hear the rattle of the brain of the Attorney General, saying it is going to be done.

Mr Sorbara: As he nods his head.

Mr Cousens: As he nods his head.

That is something that really has to be put in here. Is it in the legislation, and is it something we can legislate so that what we are doing here in Ontario applies right across the country? A reciprocal enforcement procedure is the kind of thing we need to have; to me, that is something that is elementary and required.

My other point has to do with the definition of parents, the people who are involved. I really do not feel like getting into that, but it has to do with some of the very insane ideas that started to come from the Minister of Labour last night. If you were to take some of the thinking he has in the definition of the responsible parent of a child, that could lead to some discussions that really are not—I do not think they are worthy of the House right now, but I think they are worthy of being discussed at some point.

Thank you, Mr Speaker, for giving me the opportunity to comment on this legislation. I think it has some good points to it. I sincerely hope the Attorney General will be

attentive to the amendments that are going to come forward from our caucus.

Hon Mr Hampton: I just want to reply briefly to the member for Markham. I want him to note that Ontario does have reciprocal enforcement arrangements with other provinces so that support orders issued here can be enforced in other provinces, and many are. It is not always easy, I grant that. But I want the member to know that since we announced the child and family support program, at least two other provinces have contacted the Ministry of the Attorney General to ask us about the scheme and to ask us to give them the details so they may consider it themselves. In this way, Ontario is leading the way within Canada.

I also want to point out to the member that it is our intention to schedule this issue for discussion when the provinces and the federal government next get together to talk about family law issues.

I want to say that I look forward to the member for Markham's comments as we go forward into committee, because I think some of his comments on this bill will be particularly useful. I hear what he and the member for Willowdale have to say on the issue of access. I am glad to see they support the government on Bill 124 and the decision we have made not to proclaim Bill 124. I look forward to his useful comments in that area as well.

1740

Mr Callahan: I have a question of the Attorney General.

The Deputy Speaker: No. It is the member for Markham who just debated the issue.

Mr Callahan: Oh, sorry. I say to the member for Markham, this is a very effective way of—he is not listening.

Mr Cousens: I am listening.

Mr Callahan: Oh. It is a very effective way of gathering money in a very worthy situation. I do not see anything in the bill—I have looked through it very quickly—about the question of whether or not an employer can fire the person the Attorney General is attempting to collect the money from by way of garnishee. If that is the case, it becomes counterproductive if there is not a provision in there to protect that job.

My experience has been, and I am sure the member for Markham's has been too, that garnishee proceedings more than once or twice usually result in the person's losing the job. If the net result of that is going to be a job loss, then the losers really are the recipients of the funds.

Through the member for Markham, I ask the Attorney General, who I am sure is listening very closely, is that going to be one of the provisions? If not, why not? What impact will that have on the effectiveness of this whole process?

Ms S. Murdock: I would like to comment on the concerns that the member for Brampton South has regarding people. It is in the act, under part II for employment standards, that employers can be penalized, fined or jailed if they do not comply with the order.

Mr Cousens: One of the sensitivities being raised by the member for Brampton South is still there. You could still be penalized in some way. We really have to make sure there is some way in which that does not happen. Legislation does not necessarily do it. We have got to be sensitive to that and our society has to be educated on it.

I just hope we can improve and streamline the ways in which we can have relationships with other provinces on the payment of amounts due to couples and people who are caught. The Attorney General is aware of the problem. He has recognized that it is a difficult one, but let's not just allow it to go the way it has gone, because I know many people agonize and agonize, who go for months and years and have not received proper payment.

Mr Wessenger: I am very pleased to participate in the debate on this bill. First of all, I would like to pay tribute to the previous Attorney General for the substantial preliminary work he did with respect to it.

I would also like to pay tribute to our Attorney General, because I do not think without his persistence this bill would be here before the House right now. I give him full credit for pushing it forward as his first priority. I am very pleased that I am able to support it.

What I think is most important about this bill is that it puts child and family support to the forefront. Child support is now recognized as the prime responsibility of the support payer. It is put in the same category as income tax or anything else in that category. Also, it continues a trend which we have seen in the law over the years; that is, to put the welfare of children at the highest level. This is just a further step in putting the interests of children above the interests of others.

I think this legislation will definitely help relieve the problems of child and family poverty. Right now only 25% of support orders are complied with. This legislation, we estimate, will bring in 60% compliance. The existing system, SCOE, is not working. I see that in my own constituency. Next to workers' compensation cases and social assistance problems, SCOE problems are the utmost that my constituency assistants have to deal with. They get complaints about the delay being anywhere from six to eight months. They get the problem with respect to lack of communication.

I am pleased that we are going to have additional resources to deal with this problem, both the \$2 million to clear up the backlog and the additional \$3 million or \$4 million for the additional resources and a public awareness program.

As a former general practitioner in law, there is one little side effect that I think this legislation will have. I believe it will encourage parties to settle their differences by separation agreement. I think it will result in savings of both legal fees for the parties and court time.

This in effect answers the problem raised by the member for Willowdale. He indicated that he did not like this program because it was mandatory. First of all, I would like to say if it is not mandatory it will lose its effectiveness and we will not have that 60% compliance. In effect, it leaves certain groups out now by choice. Existing orders

are not under the act unless one of the parties or SCOE decides they should be.

Secondly, separation agreements are not under the act unless one of the parties files it for collection. It does give that option. In my experience in the practice of law, when parties enter into separation agreements they are more likely to keep their payments. When you have a dispute over the question of support, parties are more likely not to keep their payments.

Lastly, on the issue raised by the honourable member for Markham, I think this legislation will also assist with respect to the whole question of access. Because it is mandatory, because it is deducted at source, we will no longer have the problems of a support payer withholding support because of some difficulty concerning access or custody.

Overall, I think this is a major improvement in looking after the interests of children, and I am very pleased to support it.

Mr Sorbara: It has been reported in other areas that the Attorney General actually supports the notion that the government would be the payer of first instance under the new program he is defining; that is, the government would actually guarantee the payments, and if there was a default the government would see if it could collect the money.

I am wondering if the member for Simcoe Centre himself agrees with that proposal. Would he support a bill that had the government actually guaranteeing the support payments in all instances and then attempting to collect those payments and simply using its best efforts to collect the payments? Does the member for Simcoe Centre feel that the legislation should be moving in the way that the Attorney General suggests; that is, to become the guarantor in effect of all support payments?

Mr Wessenger: The honourable member for York Centre certainly raised a very interesting question and proposal. Certainly as far as I am aware, at the moment there are no plans to proceed in the direction suggested, although it is an interesting proposal; it could be looked at. At this time I do not see that there is—

Mr Sorbara: The Attorney General supports it. Do you?

Mr Wessenger: I am not going to comment on that. I have not studied the matter sufficiently or looked at the additional costs involved in the program. I think really what one would have to do, quite frankly, is to have a study to see what the cost would be to the Treasury; then it would have to be put as a proposal to the Treasury, and the financial aspect would determine whether it was feasible or not. I would certainly be prepared to take a look at it to see the financial implications.

1750

Ms Churley: I have been thinking hard about the best way to contribute to this debate, given that it is not really a debate. It appears as though, happily, members of the opposition and the third party are in support, which is very good to see.

I think we have had a lot of statistics given to us today and we can all go into that. I would like to say, though, I think my best contribution to this is to talk a bit about my

personal experience with this, being a single parent of a young child and living in poverty for quite a while, for a while as a university student on student loans, for a while as a seriously ill person on mother's allowance and for a while working at low-paying jobs, and I never had custody support.

Lately, I have been remembering because it is Christmastime. I have been remembering, and as my child gets older and is basically independent right now, what it was like particularly at Christmastime. If I get a little emotional about this, I think there is very good reason, because I remember what it was like going shopping for my child at Christmastime and going to secondhand stores and my child seeing all those wonderful toys on television and saying like every other child does, "I want this, I want that," and my not being able to get those toys for my child. You can get interesting toys at secondhand stores, but I remember those days with in fact some nostalgia now. We did manage to have a lot of fun together.

As members can see, I am one of the lucky ones. I have done okay. I am here enjoying myself, making money now, and over the years things have become, yes, better for both my daughter and me. But I want to tell members that a lot of my friends, acquaintances and neighbours have not been so lucky, for a variety of reasons. I have very many friends, as I am sure people in this House do, who are living in poverty, and this is a women's issue. I differ with statements made by members of the opposition. It is a women's issue because, as the Minister without Portfolio responsible for women's issues said, most single-parent families are headed by women and more women live in poverty in this province than do men.

I have a friend who, ever since I got elected to Toronto city council, would come to me and plead with me to help her in some way because she is one of the 75,000 backlogged people and has been desperately, for years and years, trying to get support payments from her husband, who actually makes very good money, and has been unable to get that. For the first time since I have become an elected politician, I can now say to that woman: "In fact, something is going to happen. Because of this new policy, this government is going to make it possible for the law to go after your husband and make sure that he pays you support for your children."

I think, and I think we all agree, that child poverty is a national disgrace. It is a shame, and I believe that it is the highest priority of our government. This of course, as has been pointed out, is only one aspect of dealing with poverty. I, like the rest of the members in this House, am looking forward to working with the Attorney General, the Minister without Portfolio responsible for women's issues, the Minister of Community and Social Services and all of the other ministers and all of the other members in this House so that we can work together on all aspects, on all fronts of this and do what we can to stop child poverty in this province.

Mrs MacKinnon: Bill 17 addresses an issue of fairness. We talk about our justice system. One only needs to look around and see the number of people who have not received proper justice for those left without a source of

support because of the weakness of our justice systems. One realizes why people have no trust in our so-called justice system. This bill is a positive method that thousands have waited for for a long time. Finally, we will give people the trust and fairness they deserve and have needed for years.

Where is the justice when innocent children are made victims of an inadequate justice system. Bill 17 gives a practical way to an effective justice system and I, as a member of this party, am more than proud to stand up for Lambton, as I said in my campaign, and work with our Attorney General to bring justice for the children of Lambton county and the province of Ontario.

Mr Sorbara: I just want to put the same question to the member for Lambton as I did to the member for York Centre. The member for Lambton probably did not see the report, but the Attorney General is reported to have said—this report was in the Law Times—that he would favour a system where the government, through this program and through the office for support and custody enforcement, would actually guarantee the payment of these support orders. That is to say that once the order had been registered, the government would make the payment if it was not able to collect the payment from the spouse.

I was not at the presentation by the Attorney General when he made those statements, as reported by the Law Times, but it is an interesting proposal and I wanted to ask the member for Lambton whether she would support a measure where the government actually guaranteed the payment of a support order that was made by the court.

Mr Callahan: I would like to follow up on that. There is some \$300 million in outstanding support payments. I cannot remember the percentage, but it is rather minor in terms of those who do pay them. If in fact the Attorney General said that, and I cannot find the copy of the Law Times where he was reported as saying that, does that mean the NDP government of Ontario is going to pay out of the consolidated revenue fund support for children?

If that is the case, I have no problem in paying support for children. I think that children deserve it, they are entitled to it. As the member here has suggested, I am in favour of that as well, but let's do it up front.

Let's face it. SCOE has had its problems. I think we have all run into that difficulty, particularly when you have got \$300 million outstanding in uncollected support payments, but is it appropriate that the government should take it over? Because there are perhaps fathers out there who are delinquent who have been hanging around because they truly love their kids and wanted to see them supported. The government has now given them a free ticket to Australia, to any place they want to go, because they can be sure that their children are going to be looked after by the benevolent policies of the New Democratic Party.

The net effect is that every taxpayer of the province of Ontario becomes the surrogate supporter of those children, and I go back to where I began. I have no difficulty in supporting children, particularly children who are in poverty, but let's not put it in the vein of the government

unless it wants to come forward and say this is going to be another form of support from the government.

Mrs Mathysen: We all know that there are some things which are cost-effective. I was a schoolteacher, and I would say to the honourable members opposite that when a child came in who was undernourished, underhoused, underclothed, it was very, very obvious. It was in that child's eyes and it was an effect that was not just temporary. The effects of poverty are lifelong. They create a cycle. That child suffering in desperate and devastating poverty cannot listen to the teacher, cannot focus on what is being said in the classroom. What hope does that child have?

I think that as a society we have a very clear obligation to our children, and this kind of obligation says very, very strongly that saving nickels and dimes in the present is going to cost us not just financially in the future but in terms of the human cost.

1800

Mrs MacKinnon: I wish to respond to the honourable members across the floor. I suggest that they refer their questions tomorrow in question period to the Attorney General. If he does decide to make any action like that, let me assure the members I will be only too happy to assist him.

Mr Callahan: I would love to ask the Attorney General that question across the floor, because he is in fact reported in the *Law Times*—and I cannot find the date but it is recent vintage—of reporting to the Advocates' Society or the law society that that was in fact the plan that he had proposed.

I go back to whence I came, particularly at this time around Christmas, that children are most important. The members opposite do not have any priority on children over there. I am concerned, as I am sure every colleague in this House is, about the adequate support of children, making certain that they do in fact come to school each day with proper food and proper clothing.

I suppose the difficulty I have is in terms of saying that the government—we have already heard the Treasurer give up \$500-million worth of funds that could be used for that program or for other programs by reason of this parallel tax under Bill 1. We now find that there is a suggestion that \$300 million, which is the default on support payments at the moment, will in fact be picked up by the government. I do not know whether my good friend the Attorney General was flying by the seat of his pants when he told the legal profession this, but if he was not, then I suggest to him that it is a very serious situation.

If there is a problem, and I am sure there is—poverty is a problem in this province and will continue to be a problem in this province and will have to be dealt with by government. It will not be dealt with by giving away \$500 million out of the coffers of the Treasury just to gain some political points for paralleling the tax, as the NDP promised during the election. They are taking money out of the possibility of looking after these young children.

I also have concerns in the fact that if this is the program that is being formulated somewhere down in the

bowels of the cabinet in terms of a way of dealing with the poverty of children, then I object to it, because what in fact it does do is relieve the fathers, where the responsibility should lie, of the responsibility of looking after the support of their children, and foists it on all of the taxpayers of this province. I do not think that is a satisfactory arrangement. That in fact means that the children who are not being adequately supported because fathers have abandoned their responsibility are subject to the whim and the economic downturns and upturns of the economy of the government of the day in power. That does not necessarily mean it has to be the NDP government; it could be any government. That is not satisfactory. I think children are entitled to have some secure basis for their support.

In fact, what it does as well is send a signal out to all those fathers who are paying religiously—and there are a great number of them who are paying—that, “Don’t worry about it, Big Brother will look after your children.” That is a bad message for the fathers who are our pursuing their obligations. It is a bad message for the kids themselves, because in fact they see themselves as wards of the state, which is not a terribly exciting start for a kid. It is almost like going back to Dickens, almost like going back to the workhouses. It really concerns me, and I will be and I have been trying to pursue a question to the Attorney General, because I would be most interested as to whether or not that is a policy that his government is espousing in the back rooms or the bowels of the cabinet.

There is no question that SCOE was an advance over what happened in the past. In the past, if you tried to collect on a support order for a mother, it usually resulted in extreme cost in just trying to get to the courts and trying to get the mechanism going, the garnishee proceedings against the employer. I applaud the government and I think that the Attorney General has already indicated, and one of the members has indicated, that this was really a measure that the Liberal government under the former Attorney General actually started. I applaud the Attorney General, the member for Rainy River, for bringing it forward. It shows real concern on his part. But I do have concerns, as I have said, and I do not want to reiterate them, about his comments to the law association about how he perceived that this would be done.

Finally, politics has to be practical. We have seen a whole host of programs here that were espoused by members opposite, and I am sure they did it in good faith, Bill 4 and so on, that they believe will really render equity in this province. They are great programs in a perfect society, but they are not great programs in the imperfect society that we live in. So in fact what they are doing over there is saying that we want to solve these ills, which I think most, if not all, members of this Legislature would like to see solved, but what they are doing is they are hammering them to death. They are not dealing with practical politics. They are saying: “Okay, we’re going to garnishee the father’s wages.”

Now, I do not care what it says in the Employment Standards Act, and I am sure that my friend in the back there who spoke earlier, who is a practising lawyer, would recognize that the reality of the day is that if you garnishee

an employer once, you get away with it. Garnishee him twice, maybe. Garnishee him three times and if he has been there for 45 years, you might get away with it. You garnishee him four times and I guarantee you he will not even know about the Employment Standards Act and will not care. This person will be tossed out on his ear. The father, who is making the support payments perhaps and maybe missed one and gets garnisheed, will be tossed out on his ear, and who suffers? The kids.

I really want them to look at the policies that their government is espousing. They are great on the surface, but if they do not look at the practicalities of them, they are going to wind up causing more unhappiness, particularly for young children and perhaps for wives, than they are trying to solve. They have not thought out their programs. Their programs are really those that they see as, I suppose, part of their political philosophy: "Don't leave it in the free enterprise system. Take everything into the public domain and we can look after it much better." It is difficult to understand that as they are philosophizing along those lines, we are seeing in eastern Europe where glasnost and perestroika are realizing that those processes do not work and they are in fact going back to a greater reliance upon individuals' responsibilities for looking after housing, for looking after their children.

I know it is difficult to perhaps divorce themselves from their own political philosophy and the political philosophy that got them elected, but for God's sake, they should think about it, think about what they are doing and follow it through to its logical conclusions. They should not just say that because the NDP espouses this particular philosophy they should follow it. They should not have, as I am sure many legislators in those seats over there did, perhaps even ourselves, applauded wildly when the ministers came up with these proposals, many of them actually that emanated not from the ministers but from the civil servants who reached into the bottom drawer of their cabinet and found one that had dust on it and thought, "Geez, this is a good idea," and handed it to the minister and he ran with it.

1810

They are the elected representatives. They are the people who were elected to this office to serve in this lofty position. They are the kings and queens of their own ridings. They go home and they are treated like celebrities. They also expect something; they expect accountability. If they are in fact not accountable, if all they do is come down here and applaud every time a minister stands up and espouses some policy, and there is no logic to it or no continuity or no thought process, then what they have done for the people who elected them is nothing. They have come down here and wasted their time, and time is precious because they may only be around for one term. You never know; these things can happen. I can tell them that.

Interjection.

Mr Callahan: I know the member would probably like to get out of here right now, and I think many of the members would.

Finally, to my good friend the Attorney General, if what he said to the lawyers of this province was accurately reported—I know him to be a reasonable person, a sensitive person and I know he would not allow the fact that he had said it and that it was printed in the press to allow him to follow through on that, because the net result will be that he will have taken the responsibility out of the hands of the primary persons who are responsible for that support. He will have given a slap in the face to the men of this province who have lived up to their support payments for their children. He will have given a great tax holiday to those fathers who have brought children into the world, but did not consider it necessary to supply support for their kids and have required their wives to chase them all over the province to get the money.

I ask the Attorney General, and I hope he was misquoted. He is shaking his head that he was not misquoted, so I gather then that this is the policy that is going to be espoused by his party. I would say that if that is the case, the people of Ontario may still be quivering from Bill 4—it has not been passed yet—and they will be quivering from Bill 1, quivering from what has been going on in Ottawa with the GST, but this is one that I think the fathers of this province who are living up to their responsibility of supporting their children should really quake about.

Employers who have to gear up for the GST are now going to have to gear up for constant orders of garnishee, particularly when they have the big, bad government, the power of Queen's Park, not the father but Queen's Park, taking over the whole responsibility in garnisheeing them.

I do not know. The Attorney General is shaking his head this way and that way, so I am not sure whether he is agreeing or disagreeing, but I implore him not to let this policy take place. It should be thought out in a much better way.

Mr White: I am rising to speak to the need for Bill 17, the Child and Family Support Statute Law Amendment Act. In my previous life as a family therapist I often treated families that had recently undergone major disruptions. At times of separation and divorce, parents are often in states of such exaggerated hostility that they are incapable of dealing with their children's best interests. Essential to their children's best interests is firm and certain financial support. Clear sight of this goal is often lost and the child's best interests are forfeited to emotional neediness and bitterness at that very moment.

Child support is a parental responsibility and a family responsibility. Normally reliable and responsible fathers often bitterly deny their own children. The existing remedy, the Support and Custody Orders Enforcement Act, 1985, has not worked. Currently, there is only 25% compliance with support orders. This failure creates long-term child poverty and a tremendous drain upon our social spending.

The goal of this bill is to significantly impact child poverty by instituting mandatory payments of support orders. The bill is congruent with the Minister of Community and Social Services' statements that the attack on poverty and social inequality in all of its roots is an overall

goal of our government, not simply of her ministry. To that end, I would like to draw the attention of the members assembled to the Social Assistance Review Committee report.

It has several recommendations which directly speak to the need for this kind of a bill. The Ministry of Community and Social Services is required, according to SARC, to engage with the Ministry of the Attorney General in a joint review of existing laws dealing with private support obligations, and to make lawyers and judges aware of the interrelationship between private and public support systems and to study the very kind of support mechanism that we are here recommending. That report, of course, came out in 1988, literally just months after SCOE was introduced and supposedly in full working order.

For our government, there is no question of child support being considered a privilege; it is a fundamental responsibility. Child support is a basic right, not an entitlement to be assessed. The scope of the problem of child poverty goes beyond the devastating hardship experienced by the children themselves and those who take care of them. It affects all of us in society. If the current trends continue, half a generation of children will suffer unnecessary financial deprivation. The message that this government is sending out to the parents of Ontario is that this is completely unacceptable.

It must be stated at the outset that we are talking predominantly of men as the payers and women as the recipients of child support since the division of family functions is still predominantly gender-based. As a consequence, we are talking about widespread systemic discrimination, particularly as it affects women caught between public and private support systems in their struggle to secure adequate financial support for themselves and their children.

In Ontario alone, 100,000 children are affected. Women who have the least education, are poor, have never been married, have a large number of children or are non-white have the greatest difficulty obtaining orders, receive the lowest sums and have the least likelihood of having them enforced. We know about the failures to pay. I will not mention those issues, but the issues that come up time and again are the tremendous disparity in incomes after separation.

After separation, women's incomes drop severely by an estimated average of 73%, a shocking statistic, a 73% decline, while men's incomes jump 42% in the year after divorce, and there is no proportionate sharing of these increases in income. The support payment that is awarded at the time of divorce is usually what there is, and that is usually not even paid. The gap just increases.

When we speak here of women's income, bear in mind that they are usually the custodial parents. We are speaking here of women's poverty and of child poverty. I have had clients where the wife and three children were in receipt of public assistance while the non-custodial father was purchasing a new yacht and maintained a rather stately manor home.

My experience with women who were separating from their husbands always reminded me of how frequently

these women were in need of governmental assistance for themselves and their young families. Women who receive support are less likely to need financial assistance than those who do not need welfare to supplement their support and they are in receipt of it for a much shorter period of time.

In cleaning up the whole question of child support, this government will also be enabling women to leave abusive situations. In my past experience, failure on the non-custodial father's part to pay ordered support has often resulted in women being forced to return to a violent and abusive spouse. I can well recall a woman who struggled long and hard to remain apart from her abusive husband. She went through several transition homes, stayed on welfare, faced those degradations, and after a year of struggling without receiving a dime in support she capitulated and returned. Some insentient person might say she chose to return. I would say she returned under economic duress and had no choice.

1820

Her children and those other children in similar situations should have a fair share of their parents' resources and should benefit proportionately from all of those resources. They should not suffer decline in their standard of living. Equally to their mothers, children should not be forced to live in a violent or abusive home through economic duress. Studies clearly indicate that the effects of being witness to wife abuse are equal in their devastating developmental effect to actually suffering from physical abuse themselves, for those children. Knowing this, our government and this assembly would be actively condoning such maltreatment if we did not seriously address this issue.

I hope that this will, as it has in other jurisdictions, receive all-party support. This is an issue which has been resolved easily in other jurisdictions, in the United States, and I understand it has received some fairly good support across the world in other hemispheres.

Ms Haslam: This is my first opportunity to rise in the House and debate. I know that the Liberals have a party and are not as eager to debate tonight as they have been earlier in the week, but I feel very strongly about this issue and that is why I have chosen this issue, because I feel it is about children caught in an unfortunate modern dilemma of divorce and marriage breakup. Often accompanied with the marriage breakup comes poverty for at least one partner, and almost always for the children.

As a former teacher, I came in contact with these children daily. While I echo everyone's concern regarding the incidence of child poverty, I would also like to draw the members' attention to a secondary benefit of this plan. We talk about changing the attitudes of the public, how it will strengthen the public image of child support as a legal and moral imperative, but let's look at it even further, at how it will strengthen the child's image of his or her own self-worth.

We talk about the social stigma currently associated with the garnishment being negated through this method, since child support will become the norm. I think that the

key word here is "support." A recent study conducted by the Canadian Institute for Research found, as we have all mentioned, that 80% of separated or divorced spouses had sufficient disposable income to meet their child support commitments, yet we find that in Ontario approximately 75% of support orders filed with SCOE are in default. The consequences of such high default rates are devastating for custodial parents, who are primarily women, and their children.

A recent study by the federal Department of Justice found that in 1988 approximately 46% of women with custody of their children reported incomes below the poverty line. This is not support for the children, and that brings me to my second point. A child suffers the added, extra stigma of not being supported by a parent, and I do not mean just in money.

There are many benefits to this family support plan and many of them have been mentioned tonight, such as the research conducted in the United States regarding automatic support deduction. It increases collection and reduces the incidence of default. It prevents arrears from accruing so long as the support payer has a regular stream of income. It will allow the child and family support office to target its resources towards more difficult cases. It will strengthen the public image of child support. Rather than being seen as a discretionary obligation to be complied with when circumstances render it convenient to do so, a support obligation is treated as an obligatory deduction similar to the income tax.

The social stigma which is currently associated with a garnishment is not attached to automatic support deduction payers. It is a convenient way for support payers to meet their obligations to their families, and an effective child and family support program will alleviate some of the burden on our social assistance programs.

I wonder how many members here were raised on welfare, how many members here went to school hungry, obtained clothing through social assistance and went to a summer camp supported by the Salvation Army. Not many, I will bet. It is these secondary effects on the children that I see being addressed in this legislation. Proper support paid immediately will help children overcome the stigma of poverty, which in turn will help them overcome other stigmas associated with this lack of support.

I thank members for this time to speak on this important issue.

Mr O'Connor: I know we are pressed for time here, so I will keep my comments brief, but I want to speak in this important debate because I feel it is important. As a member of this Legislative Assembly, I know all members on both sides must deal with an awful lot of problems with SCOE. In my constituency office, 25% of the case work done is SCOE. Every single case that has a problem with enforcement also has a problem with arrears. One of the reactions from one of my constituents was "the sooner, the better." She is sick and tired of the legal hassles that she has had to deal with, court orders that were never being enforced properly. The former system had such a backlog

that it made it impossible for my constituents to get any help from it.

The government is going to deal with the current backlog. It is also going to have a team specializing in enforcement personnel and set up a better communications network.

The system that we are introducing, the automatic deduction system from the support payer's salary or wages, is a far better system. It will speed up the process and make support orders enforceable.

One of my constituents said she could never locate her ex-husband—he changes jobs regularly—to try to get a payment out of him. With this new legislation the support payer will not get lost within the system. When the support payer changes employment, the plan moves with the support payer. That is very important.

Our government realizes that a public awareness campaign is an important factor in the success of this program. I was appalled by the number of support payers in default, as I am sure most of the members within this Legislative Assembly are. It is a travesty. This campaign will make people aware of the extent of the problem and will address it.

This program is going to take the necessary steps in rebuilding the self-confidence of the children and the spouses who have suffered under the past legislation. These changes are designed to fight child poverty in the province.

The payment of child support is both a moral and a legal obligation. We have suffered under the past legislation and I support the Attorney General in helping this government with Bill 17. I think it is a very important piece of legislation.

1830

Mr Mills: I am very pleased and honoured to stand here tonight in support of Bill 17, introduced by my colleague the Attorney General.

Single-parent families are the fastest growing segment of society, due to marriage breakdown. Most of these families are female-led. Over one half of these families live below the poverty line and many of these families depend on child support. A significant number of orders are in default, due not to any inability to pay, but rather due to the unwillingness to pay. Through this, many families are forced to rely on social assistance through disrespect for a system that can no longer adequately enforce orders.

As Freeda Steel wrote in the article "Maintenance Enforcement in Canada," a system of law that fails to achieve its obligations more often than it succeeds is never acceptable. Support payers are not treating their obligations to pay support with the same priority as their other debts. A more effective solution has to be found. Enforcement through default hearings, through garnishment, through writ of seizure or registration against property are the present ways, and they are not working.

The automatic deduction prevents arrears, ensures the payer with a regular income, and the automatic deduction will remove the social stigma of garnishment. It allows

child and family support offices to target on the more difficult cases, for example, those who are self-employed.

The judiciary, the Bar, the employers' groups and labour unions support this program in principle. This unique bill shows the level of commitment of this government to progressive social change.

Ms Harrington: I would like to just briefly take this debate one step further and ask, why? When I look at the facts that the Attorney General has put forward, and that is that 75% of these payments are in default and we make that public statement, to me that equals a certain reality. That is that in the past and at present, women and children are not important. That seems to be the only conclusion, if you look at it very carefully, that you can draw from that statement.

Honestly, I cannot believe that this situation has been allowed to continue for so long without being addressed. I must admit to being one of the silent majority or the middle class, or whatever you would like to call it, who was not actually aware of many of the facts of the reality of our society. But since being elected, I have been of course faced with people coming into my constituency office, as all former members have, faced with these women needing simple, honest justice. I have since learned what the name SCOE meant—I had no idea what the initials stood for—and the frustration of trying to bring some kind of enforcement—the endless phone calls, trying to get through the answering machines. It seemed to be an impossible situation, which hopefully this government is going to change through this legislation.

I just want to end by saying the current backlog is a totally disgraceful statement about our society and its values. The bill talks about public awareness of the massive problem of unpaid child support. This is what the Attorney General, in his public statement last week, said, that he is going to go forward with some kind of public awareness campaign. I would like to say that I thoroughly endorse this aspect of the legislation, to launch a public awareness. I think we have to go public and tell the real story so that most of us and the rest of the public out there know what is going on.

I think this has been a hidden problem for too long and I want to ask, why? Why did we not know that 75% were

in default? Could it be that women and children are not listened to because they are not a high priority in the halls of power or on the political agenda? I would be so bold as to suggest that there might be some truth to that answer and I ask that this government bring forward the often hidden or overlooked situations of women and children, bring these to light and continue to give equality to everyone in this society. What I mean by equality is actually listening to those who are not so powerful and who are not so easy to deal with, and I guess that means in our constituency offices. It is sad, very sad situations, and they will not go away until we actually look at them. We cannot simply ignore it and I ask that we look at our constituents, all of them, and tell them they are important.

The Acting Speaker (Mr Villeneuve): Questions or comments? Further debate on Bill 17? Windup by the Attorney General.

Hon Mr Hampton: Mr Speaker, I would ordinarily, as you know from my past behaviour in this House, now go into an hour-long windup. However, I think everything has been said. The fact of the matter is, I think, that all members who have spoken from all three parties are very much in favour of this legislation. I have listened carefully to the comments that have been made and I think that everyone who has spoken today has made very logical and very sensible points about this legislation and about the issue of child and family support in general.

I want to thank all honourable members for their contributions. The comments that have been made will certainly be reviewed and looked at as we go forward from here. I also appreciate the comments that some members have made on the question of access, and I appreciate their comment that the issue of access must be revisited in another way, other than Bill 124. So in general, I thank all members for their very worthwhile and timely comments upon this important piece of legislation. We will make the best use we can of those comments.

Motion agreed to.

Bill ordered for standing committee on administration of justice.

The House adjourned at 1838.

ALPHABETICAL LIST OF MEMBERS
(130 seats)

First Session, 35th Parliament

Lieutenant Governor: Hon Lincoln M. Alexander, PC, QC

Name of member	Constituency	Party	Other responsibilities
Abel, Donald	Wentworth North	NDP	
Akande, Hon Zanana L.	St Andrew-St Patrick	NDP	Minister of Community and Social Services
Allen, Hon Richard	Hamilton West	NDP	Minister of Colleges and Universities, Minister of Skills Development
Arnott, Ted	Wellington	PC	
Beer, Charles	York North	Lib	
Bisson, Gilles	Cochrane South	NDP	Parliamentary assistant to the Minister of Mines, parliamentary assistant to the Minister of Northern Development
Boyd, Hon Marion	London Centre	NDP	Minister of Education
Bradley, James J.	St Catharines	Lib	
Brown, Michael A.	Algoma-Manitoulin	Lib	
Buchanan, Hon Elmer	Hastings-Peterborough	NDP	Minister of Agriculture and Food
Callahan, Robert V.	Brampton South	Lib	
Caplan, Elinor	Oriole	Lib	
Carr, Gary	Oakville South	PC	
Carter, Hon Jenny	Peterborough	NDP	Minister of Energy
Charlton, Brian A.	Hamilton Mountain	NDP	Parliamentary assistant to the Minister of Energy
Chiarelli, Robert	Ottawa West	Lib	
Christopherson, David	Hamilton Centre	NDP	Parliamentary assistant to the Minister of Economics
Churley, Marilyn	Riverdale	NDP	Parliamentary assistant to the Minister of the Environment
Cleary, John C.	Cornwall	Lib	
Conway, Sean G.	Renfrew North	Lib	
Cooke, Hon David S.	Windsor-Riverside	NDP	Minister of Housing, Minister of Municipal Affairs
Cooper, Mike	Kitchener-Wilmot	NDP	
Coppen, Hon Shirley	Niagara South	NDP	Minister without Portfolio, Chief government whip
Cordiano, Joseph	Lawrence	Lib	
Cousens, W. Donald	Markham	PC	
Cunningham, Dianne E.	London North	PC	Chief whip
Curling, Alvin	Scarborough North	Lib	
Dadamo, George	Windsor-Sandwich	NDP	Parliamentary assistant to the Minister of Transportation
Daigeler, Hans	Nepean	Lib	
Drainville, Dennis	Victoria-Haliburton	NDP	Parliamentary assistant to the Minister of Citizenship
Duignan, Noel	Halton North	NDP	
Elston, Murray J.	Bruce	Lib	House leader
Eves, Ernie L.	Parry Sound	PC	House leader
Farnan, Hon Mike	Cambridge	NDP	Solicitor General, Minister of Correctional Services, minister responsible for the provincial anti-drug strategy
Fawcett, Joan M.	Northumberland	Lib	
Ferguson, Will	Kitchener	NDP	Parliamentary assistant to the Minister of Municipal Affairs
Fletcher, Derek	Guelph	NDP	Parliamentary assistant to the Minister of Consumer and Commercial Relations
Frankford, Robert	Scarborough East	NDP	Parliamentary assistant to the Minister of Health
Gigantes, Hon Evelyn	Ottawa Centre	NDP	Minister of Health
Grandmaitre, Bernard	Ottawa East	Lib	
Grier, Hon Ruth A.	Etobicoke-Lakeshore	NDP	Minister of the Environment
Haeck, Christel	St Catharines-Brock	NDP	Parliamentary assistant to the Minister of Colleges and Universities
Hampton, Hon Howard	Rainy River	NDP	Attorney General
Hansen, Ron	Lincoln	NDP	

Name of member	Constituency	Party	Other responsibilities
Harnick, Charles	Willowdale	PC	
Harrington, Margaret H.	Niagara Falls	NDP	Parliamentary assistant to the Minister of Housing
Harris, Michael D.	Nipissing	PC	Leader of the Progressive Conservative Party
Haslam, Karen	Perth	NDP	First Deputy Chair of the Committee of the Whole House
Hayes, Pat	Essex-Kent	NDP	Parliamentary assistant to the Minister of Agriculture and Food
Henderson, D. James	Etobicoke-Humber	Lib	
Hope, Randy R.	Chatham-Kent	NDP	Parliamentary assistant to the Minister of Community and Social Services
Huget, Bob	Sarnia	NDP	
Jackson, Cameron	Burlington South	PC	
Jamison, Norman	Norfolk	NDP	Parliamentary assistant to the Minister of Industry, Trade and Technology
Johnson, Paul R.	Prince Edward-Lennox-South Hastings	NDP	Parliamentary assistant to the Chairman of the Management Board of Cabinet
Jordan, Leo	Lanark-Renfrew	PC	
Klopp, Paul	Huron	NDP	Parliamentary assistant to the Minister of Agriculture and Food
Kormos, Hon Peter	Welland-Thorold	NDP	Minister of Consumer and Commercial Relations, Minister of Financial Institutions
Kwinter, Monte	Wilson Heights	Lib	
Lankin, Hon Frances	Beaches-Woodbine	NDP	Minister of Government Services, Chairman of the Management Board of Cabinet
Laughren, Hon Floyd	Nickel Belt	NDP	Deputy Premier, Treasurer of Ontario and Minister of Economics
Lessard, Wayne	Windsor-Walkerville	NDP	Parliamentary assistant to the Minister of Financial Institutions
MacKenzie, Hon Bob	Hamilton East	NDP	Minister of Labour
MacKinnon, Ellen	Lambton	NDP	
Mahoney, Steven W.	Mississauga West	Lib	Chief whip
Malkowski, Gary	York East	NDP	Parliamentary assistant to the Minister of Citizenship
Mammoliti, George	Yorkview	NDP	Parliamentary assistant to the minister responsible for the provincial anti-drug strategy
Mancini, Remo	Essex South	Lib	
Marchese, Hon Rosario	Fort York	NDP	Minister of Culture and Communications
Marland, Margaret	Mississauga South	PC	
Martel, Hon Shelley	Sudbury East	NDP	Minister of Northern Development, government House leader
Martin, Tony	Sault Ste Marie	NDP	Parliamentary assistant to the Minister of Education
Mathysen, Irene	Middlesex	NDP	
McClelland, Carman	Brampton North	Lib	
McGuinty, Dalton	Ottawa South	Lib	
McLean, Allan K.	Simcoe East	PC	
McLeod, Lyn	Fort William	Lib	
Miclash, Frank	Kenora	Lib	
Mills, Gordon	Durham East	NDP	
Morin, Gilles E.	Carleton East	Lib	Parliamentary assistant to the Solicitor General
			Deputy Speaker, Chair of the Committee of the Whole House
Morrow, Mark	Wentworth East	NDP	
Murdoch, Bill	Grey	PC	
Murdock, Sharon	Sudbury	NDP	Parliamentary assistant to the Minister of Labour
Nixon, Robert F.	Brant-Haldimand	Lib	Leader of the Official Opposition
North, Hon Peter	Elgin	NDP	Minister of Tourism and Recreation
O'Connor, Lawrence	Durham-York	NDP	Parliamentary assistant to the Minister of the Environment
Offer, Steven	Mississauga North	Lib	
O'Neil, Hugh P.	Quinte	Lib	
O'Neill, Yvonne	Ottawa Rideau	Lib	
Owens, Stephen	Scarborough Centre	NDP	
Perruzza, Anthony	Downsview	NDP	Parliamentary assistant to the Minister of Revenue
Philip, Hon Ed	Etobicoke-Rexdale	NDP	Minister of Transportation

Name of member	Constituency	Party	Other responsibilities
Phillips, Gerry	Scarborough-Agincourt	Lib	
Pilkey, Hon Allan	Oshawa	NDP	Minister of Industry, Trade and Technology
Poirier, Jean	Prescott and Russell	Lib	
Poole, Dianne	Eglinton	Lib	
Pouliot, Hon Gilles	Lake Nipigon	NDP	Minister of Mines, minister responsible for francophone affairs
Rae, Hon Bob	York South	NDP	Premier, Minister of Intergovernmental Affairs
Ramsay, David	Timiskaming	Lib	
Rizzo, Tony	Oakwood	Ind	
Runciman, Robert W.	Leeds-Grenville	PC	
Ruprecht, Tony	Parkdale	Lib	
Scott, Ian G.	St George-St David	Lib	
Silipo, Tony	Dovercourt	NDP	
Sola, John	Mississauga East	Lib	
Sorbara, Gregory S.	York Centre	Lib	
Sterling, Norman W.	Carleton	PC	
Stockwell, Chris	Etobicoke West	PC	
Sullivan, Barbara	Halton Centre	Lib	
Sutherland, Kimble	Oxford	NDP	
Swarbrick, Hon Anne	Scarborough West	NDP	Minister without Portfolio responsible for women's issues
Tilson, David	Dufferin-Peel	PC	
Turnbull, David	York Mills	PC	
Villeneuve, Noble	Stormont, Dundas and Glengarry	PC	Second Deputy Chair of the Committee of the Whole House
Ward, Brad	Brantford	NDP	Parliamentary assistant to the Minister of Skills Development
Ward, Margery	Don Mills	NDP	Parliamentary assistant to the Minister of Government Services
Wark-Martyn, Hon Shelley	Port Arthur	NDP	Minister of Revenue
Warner, Hon David	Scarborough-Ellesmere	NDP	Speaker
Waters, Daniel	Muskoka-Georgian Bay	NDP	Parliamentary assistant to the Minister of Tourism and Recreation
Wessenger, Paul	Simcoe Centre	NDP	Parliamentary assistant to the Attorney General
White, Drummond	Durham Centre	NDP	
Wildman, Hon Bud	Algoma	NDP	Minister of Natural Resources, minister responsible for native affairs
Wilson, Fred	Frontenac-Addington	NDP	Parliamentary assistant to the Minister of Correctional Services
Wilson, Gary	Kingston and The Islands	NDP	Parliamentary assistant to the Minister of Culture and Communications
Wilson, Jim	Simcoe West	PC	
Winninger, David	London South	NDP	Parliamentary assistant to the minister responsible for native affairs
Wiseman, Jim	Durham West	NDP	
Witmer, Elizabeth	Waterloo North	PC	
Wood, Len	Cochrane North	NDP	Parliamentary assistant to the Minister of Natural Resources
Ziemba, Hon Elaine	High Park-Swansea	NDP	Minister of Citizenship, minister responsible for disabled persons, minister responsible for the Ontario Human Rights Commission, minister responsible for race relations, minister responsible for senior citizens' affairs

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Pétition	Loi de 1990 modifiant le lois relatives aux obligations
Prestations payées aux personnes handicapées	alimentaires
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First Session, 35th Parliament

Assemblée législative de l'Ontario

Première session, 35^e législature

Official Report of Debates (Hansard)

Wednesday 19 December 1990

Journal des débats (Hansard)

Le mercredi 19 décembre 1990

Speaker
Honourable David Warner

Clerk
Claude L. DesRosiers

Président
L'honorable David Warner

Greffier
Claude L. DesRosiers



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Il existe un index cumulatif des numéros précédents. Les renseignements qu'il contient sont à votre disposition par téléphone auprès des employés de l'index du Journal des débats au (416) 965-2159.

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LEGISLATIVE ASSEMBLY OF ONTARIO

Wednesday 19 December 1990

The House met at 1330.

Prayers.

MEMBERS' STATEMENTS

MUNICIPAL GOVERNMENT

Mr Morin: I rise today on behalf of the constituents of Carleton East to express my views and their concerns about the proposal for a one-tier government for Ottawa-Carleton. My honourable colleague the member for Ottawa Centre has expressed her support for the proposal. While I respect her view in the matter, I feel that it is appropriate that her government should consult with those parties directly affected by such a change.

The city of Gloucester, the largest municipality in my riding, is in the process of establishing a system of pay-as-you-go for the services that it provides. Gloucester's priority is to be fiscally responsible and develop a sound economic base to provide a high standard of living for its residents. Gloucester has no desire to take on the debt load of larger neighbouring municipalities. The elected representatives of Gloucester have developed a close relationship with their constituents, their community and business leaders. They are in a position to speak to the challenges and the opportunities unique to their city.

When the Premier took office he promised that he would have an open government and one that would engage in consultation. I know the Premier was serious when he made that promise. I would therefore encourage the Premier that any future discussions pertaining to important regional and municipal matters be held in consultation with area MPPs, local politicians and residents of the municipalities in question.

LICENSING OF MOTOR BOAT OPERATORS

Mr McLean: Later today I will be introducing a bill that would regulate the operation of motor boats on Ontario's waterways. This bill is aimed at licensing all motor boat operators whose vessels are propelled by motors of 25 horsepower or more. This bill creates the offences of careless and impaired operation of a motor boat, and those found to be contravening the act would be subject to a maximum fine of \$1,000. In some cases the operator could have a licence suspended or revoked.

Mr Speaker, you are no doubt aware that I first introduced this bill in the spring of 1989, but it died in the Orders and Notices with the call of the recent provincial election. I am reintroducing this bill and I urge my colleagues here in the House to give it speedy passage, because I want to see a drastic reduction in the number of tragic accidents and deaths that occur on our waterways each year. There are more than one million boats in Ontario and this province has more boats per capita than anywhere else in North America. Today's boats are bigger and faster than ever before, yet we do not require operators to undergo training, testing or licensing.

I urge all members to join with me in giving the police the authority to act to enforce the safe operation of motor boats on our waterways inasmuch as the Highway Traffic Act regulates the safe operation of motor vehicles on our roads.

I would like to take this opportunity to wish everyone here a very merry Christmas and a happy new year.

RETAIL STORE HOURS

Ms Haslam: At this festive time of year, when many large business chains are requesting their employees to work on Sundays, I rise to commend Don Thompson of the Canadian Tire store in Stratford, who does not open his store on Sundays and does not intend to.

Let me quote a recent advertisement from the Stratford Beacon-Herald:

"Having agonized over Sunday opening for years, we are keeping with our original decision at Stratford Canadian Tire. We have not opened on Sundays and do not intend to. Our employees deserve a common pause day with their families. Presently our work week is 72½ hours. We are open Monday to Friday 9 am to 9 pm and Saturdays 8 am to 9 pm. Let us continue to provide you with the excellent service you are now receiving six days a week.

"Thank you for supporting us on this stance. Many of you have written letters or given us verbal encouragement. Our sales have been very strong this Christmas season. Thank you again...for your support."

I hope more consumers, not only in Stratford but everywhere, continue to voice their support for those stores which have taken a stand and remain closed to allow their employees a common pause day with their families.

VARITY CORP

Mr Offer: Last October, the Premier announced that an agreement had been reached with the federal government and the Canadian Auto Workers that resolved all outstanding claims against Varity Corp arising from the 1988 closure of Massey Combines Corp and, accordingly, allowed Varity to leave the province.

Part of the agreement provided for the payment of \$12 million in termination pay to approximately 1,400 workers affected by the 4 March 1988 receivership of Massey Combines Corp. In the gallery today we have members of the Coalition for Laid-Off Workers who have been affected by this decision who are asking pertinent questions as to whether this matter has in fact been fully settled and, if so, what are the terms?

I have an article from the Windsor Star of 22 November which states:

"Described a month ago as the best severance package ever bargained by the Canadian Auto Workers, the Kelsey-Hayes deal has turned out to contain some nasty surprises.

"Workers who showed up at the Local 195 office this week discovered that instead of two years of full health

coverage, including dental, their dental coverage would expire at the end of December."

It goes on to say: "In addition, workers who were on compensation were also surprised to find that in order to receive the severance payment of one and one half week's wages for each year of service, they had to sign a waiver saying they wouldn't collect compensation for workplace injuries."

I am asking the Minister of Labour to provide detailed information as to the terms of settlement of the termination pay available to those workers of Varity and to those members of the Coalition of Laid-Off Workers.

HOMELESS YOUTH

Mr Turnbull: Police and social workers estimate there are 10,000 homeless kids living on the streets in Metropolitan Toronto. Eva's Place is a needed new shelter for homeless youth in the planning stages in my riding of York Mills. The city of North York has agreed to give the land for the home.

There is unfortunately one big hitch. The land was originally owned by the Ministry of Transportation and granted to North York in 1975 but with a covenant restricting its use to park or highway purposes. Ministry staff have offered to remove the covenant, but for the price of one half of the current market value, which is approximately \$800,000. We seem to have a rather bizarre situation here. One government ministry, the Ministry of Community and Social Services, is supporting a project and offering capital expenditure funding while another, the Ministry of Transportation, is demanding so much money the whole project may be doomed.

1340

I ask the Premier, who is the boss here? Could we ask him to mediate between his two ministers? I urge him to support the vulnerable, homeless youth of Metropolitan Toronto. Let him stop the money grab by the Ministry of Transportation. Let him join Metro council in providing a reasonable funding level for Eva's Place and finally, let him make a commitment to adequate and equitable funding for all our youth shelters. Our youth need our help. Would he please respond.

I would like to wish all members a merry Christmas and a happy new year.

HIGHWAY 69

Ms S. Murdock: I rise today to draw the House's attention to what is to me a very important link in this province's transportation network. It affects all the people of Sudbury as well as all of northern Ontario. Highway 69 north, between Sudbury and Waubesaushene, is one of the two major gateways to the north. However, this glorified cow path is not just a central part of northern Ontario's economic infrastructure, it is also one of the most treacherous sections of the Trans-Canada Highway.

Between 1 January 1984 and 30 June 1989, 111 people have lost their lives on this highway in good weather. A further 134 sustained injuries. Two thirds of these fatalities took place on clear, dry roads.

In an effort to stop this carnage on the highway, citizens from Parry Sound to Manitoulin Island have banded together to push for four-laning. Already, Express-it, the joint committee of the Sudbury and District Chamber of Commerce and the Sudbury Regional Development Corp, has expressly set up a group to achieve the four-laning of Highway 69. Express-it, right now, has received 5,000 cards and signatures from the city of Sudbury alone.

Just to see how important it is to the north and how badly we need four-laning of Highway 69 north, I will be pushing to have at least one cabinet meeting in the north on the condition that they drive.

At this time I want to wish everyone a happy Hanukkah and a safe and merry Christmas.

MPP FOR A DAY CONTEST

Ms Poole: It gives me great pleasure to rise in the House today to introduce the winner of the MPP For a Day contest which I sponsored for students in my riding. This year's winner was chosen at the North Toronto Fall Fair on 22 September. The purpose of the contest is to provide an opportunity for a student to see what an MPP does at Queen's Park. The 1990 winner is Alison Minard, a grade 4 student at John Ross Robertson public school.

[Applause]

Ms Poole: I thank members for the warm welcome that they have given to Alison at Queen's Park. She is a grade 4 student who enjoys sports and poetry and excels at math, English and music. Alison has not made a career choice yet, but considering she is only nine years old, I think she is wise to leave her options open.

When asked as part of the contest what she would like to do as MPP to help change the world, Alison said she would like to help solve the pollution problem. I know that will endear her to many members.

On behalf of all members, I would like to congratulate Alison and say we hope to see her back in this House, maybe some 20 years from now, as the new member for Eglinton.

BOARD OF EDUCATION AUDIT

Mr J. Wilson: My statement is to the Minister of Education. I would like the minister to authorize the Provincial Auditor to carry out a value-for-money comprehensive audit of the Simcoe County Board of Education. In Simcoe county, 29 of 36 municipalities have passed resolutions demanding an audit of this type for the public school board. These municipalities are not political agitators; they are simply echoing the public groundswell for relief from escalating taxes. Who could blame them? Education property taxes have increased by some 28% over the last two years in Simcoe county.

Taxpayers in the county have no quarrel with paying for education, but they disagree strenuously with subsidizing administrative excesses such as the \$13 million spent for the Simcoe County Board of Education's new office building in Midhurst.

I do not have to tell the minister that we are in a deepening recession, and the message of fiscal restraint must come from the top. I want the minister to send the

message to all beleaguered taxpayers in Simcoe county that there is light at the end of the tunnel by authorizing a comprehensive audit of the public school board. This audit would be an effective first step towards showing that this government means to be prudent with taxpayers money and wage a war against wasteful spending.

I too would like to wish all honourable members a merry Christmas and a happy new year.

KAPUSKASING FESTIVAL

Mr Wood: As many members know, I represent a part of Ontario hit harder than most others by this recession. Plant closures and layoffs are felt by every community and the families who live in them even more sharply now that Christmas draws near. But northerners are a tough breed of people. I would like to tell the House today about how one northern community has rallied massive local spirit and co-operation in a holiday celebration that has lit up the hearts for miles around. You can see the Christmas lights of Kapuskasing long before you get to town, thousands of them reflecting off the water along the whole length of the riverside park which hosts the town's third annual and biggest ever Festival of Lights.

Starting out as a modest event sponsored by the chamber of commerce, the two-month festival now includes over 110 separate displays contributed by churches, schools, homes, businesses, many other local groups and individuals. Hundreds of volunteers are involved and over 4,000 people turned out for this year's opening night of Christmas carols and celebration. The continued support and co-operation of the dedicated volunteers from the chamber of commerce, the town of Kapuskasing planning and engineering departments and citizens of Kapuskasing have assured the festival an important role and a new focus for community pride. Now six neighbouring communities are bringing home the same idea. Christmas cheer goes a long way in Ontario's north.

I would like to wish everybody a merry Christmas and a happy new year.

The Speaker: I trust with all the good wishes that have been coming forth during members' statements that the goodwill will carry through for the rest of question period.

STATEMENTS BY THE MINISTRY

CONSTITUTIONAL REFORM RÉFORME CONSTITUTIONNELLE

Hon Mr Rae: The government in its throne speech said that Canada requires our best efforts. Long-standing grievances from across the spectrum of our society and nation—in Quebec certainly but also in all provinces, our territories, among aboriginal people, linguistic minorities, new Canadians, women—remain unsettled. The failure of the Meech Lake accord has not simply spawned the Belanger-Campeau commission in Quebec. It has created momentum towards significant constitutional change that cannot be ignored by this province or by anyone living in it.

Let me be as clear as I can about the challenges we face. Any government in Quebec will approach constitutional negotiations seeking more powers for that province. That has been true since 1960 and the failure of the Meech Lake process has made that even truer.

The official opposition in Quebec is committed to independence for Quebec but it has also said that it still wants some kind of association with the rest of Canada.

Le démantèlement de la fédération que constitue le Canada n'a aucun sens pour le gouvernement de l'Ontario et nous nous y opposons carrément. Si le processus se met en branle, personne ne peut entretenir l'illusion qu'il va être bénin ou sans douleur. Ce ne sera pas le cas. Les résidents de toutes les parties du pays vont être plus pauvres dans tous les sens du terme, si on devait envisager sérieusement un tel trauma.

Le Canada n'est pas un État unitaire ou centralisé. Les provinces disposent de pouvoirs considérables que nous exerçons indépendamment d'autres gouvernements. En ce sens, toutes les provinces du Canada possèdent la souveraineté dans certains domaines et le gouvernement fédéral dans d'autres domaines. Le fait que nous soyons membre des Nations Unies, partie à des traités internationaux, de même que les dures réalités de la vie économique, tout cela signifie que la propre souveraineté du Canada n'est pas absolue non plus.

On peut toujours discuter et faire la réforme du fédéralisme canadien actuel — je dis franchement que nous devons le faire — de sa structure financière, de ses institutions culturelles, sociales, économiques et politiques. Mais le Canada lui-même n'est pas négociable. Nous avons fait trop de chemin pour cela.

1350

Let me say those last words in English so they will be clearly understood. In our view, the terms of the current Canadian federalism—its financial sharing, its cultural, social, economic and political institutions—can always be discussed and reformed. Indeed, they must be reformed, because the status quo is simply not tenable. But I must also state on behalf of our government that for us, Canada itself is not negotiable. We have come too far for that.

The second point I want to make is that Ontario does not for one moment accept the proposition that the federal government somehow speaks for English Canada while the government of Quebec speaks for itself. Each government in the country speaks for itself and for the people in its jurisdiction. Other governments, particularly in western Canada, made it clear that they will come to the table with their own views on the changes necessary to make federalism work better for them, and that is as it should be.

Canada's aboriginal people have historic claims as well, and they must be heard. The territories have a grievance that cannot be ignored. Too many Canadians look to the Constitution and simply do not see themselves in that mirror. That is what must, and can, change.

It is also clear that the next round of constitutional discussions cannot be endless. It cannot just be a Quebec round, though it must be a Quebec round. But above all, it must be a Canadian round, which will include everyone.

And I say to everyone in this House that we cannot afford to fail.

My government is committed to moving forward only in consultation with the people of this province to truly reflect their views in the work we do. We want the people of Ontario to answer for us a basic yet also hugely complicated question. How can Canada work better to meet the needs of its people? And in that is a tremendous opportunity for all of us in Ontario and, indeed, all of us in Canada. We have the chance to help define not simply words in a legal document called the Constitution, but to shape together a better future.

We do the people of Ontario a disservice by simply defining this as a technical matter and handing it over to constitutional experts to solve behind closed doors. Leaving it to the experts alone, as has been done too often in the past, has hardly avoided the problems that we now face. That approach flies in the face of what people now deserve from their governments: a chance to have their voices heard and to have their views count.

Federal-provincial fiscal arrangements, exclusive jurisdictions, constitutional rights, these may be the dry words that establish our system of government, but they also affect all of us, the people, in our daily lives, in our pocket-books, in our workplaces, in our homes and in our communities.

We believe it is time that Ontarians not only were asked how they want their country to work but also were given the opportunity to put forward their interests, speak about their expectations and share their dreams about the future shape of Canada.

This is far from an arcane constitutional question. It strikes to the heart of the way our society works, the way our economy works, the way it functions, the relationships we have with each other and the way we organize our institutions. That, we believe, is our central challenge as a province, to help define our future and Canada's future together.

I have always believed and I have said I do not think this is a partisan issue, but I am compelled to say that the vacuum of leadership at the federal level in this country is hurting our people. The destruction of national institutions, whether economic or cultural, has left the realm of partisanship or ideology and, I believe, now threatens the fabric of this nation.

It used to be that when you asked, "Is our current system of federalism working?" you would hear a cry of no from a single province or a few groups in society. But if you ask the question another way, if you ask the unemployed forestry worker about our high-value-dollar policy, ask the out-of-work plant worker in Woodstock about free trade, ask the single mother in Peterborough about federal cuts to the Canada assistance plan, or ask Windsor about the denial of local public broadcast as a result of CBC cuts, ask the small business owner in Picton about interest rates, ask Ontarians if their interests are being well served, too often the answer is no. That is a form of failed federalism as well.

None of this should be terribly surprising. What was good for the country in 1867 or even in 1982 will not

withstand the pressures of the 1990s and beyond. These are dynamic times with deep and fundamental changes happening around the world. They are happening around the world in politics, in the economy and in society. Canada itself is going through tremendous, and sometimes painful, change.

No province can insulate itself from these forces. But we have an obligation to ask if our current structures work for the people of Ontario, and make the case for a different approach when we find them lacking.

As this debate develops, I will be putting forward the case that we need substantial change in the way in which we in Canada share power, in the way in which we plan for the future and make economic and social decisions as governments and people.

I will argue that while there are people and regions of this country that are distinct and whose interests deserve recognition in the laws that govern our country, the Canadian people will not easily limit the debate to any one set of concerns when it comes to the realm of the Constitution. This next round of constitutional debate, however it is eventually done, must be an open and wide-ranging debate where all Canadians have their say. That is the only way we will succeed.

The flaws of the Meech Lake process—and, of course, the ultimate failure—have left deep wounds in Canada, but I think we can learn from that experience. Indeed, I would say we must learn from that experience. The people of Ontario must be involved. The people of Ontario will be involved.

Today I am announcing a two-step process to help us prepare for the future. Before the end of January, my government will formally release a discussion paper to the people of Ontario that challenges us to answer together that basic question: How do we want Canada to work better to respond to the needs of the people?

In that paper we will outline a number of challenges to Ontario in Confederation and ask questions seeking to better define our role. We will distribute this paper as widely as we can, seeking to involve all the people of Ontario. We will seek out the voices of Ontario and encourage as much response as possible. We want the people of Ontario to reflect on the challenges facing our economy and our society, and discuss what those mean for the structure of governments and our nation.

Are they satisfied with the current roles of their federal, provincial and municipal governments? How should fundamental decisions about our economy be made? What process of constitutional reform will allow people to participate? How can minorities participate fully in Ontario's future? How can we further the objective of aboriginal self-government in Ontario?

These are the kind of questions that must be answered as we prepare for the future.

I have spoken to the leaders of the opposition parties. We have agreed to establish a select committee on Ontario in Confederation that will hold hearings across the province in February. I encourage that committee to look at innovative ways to establish a true dialogue with as many people as possible. We will not serve the public

interest if this process is reserved simply for the experts. We must hear from the widest possible range of people in our province.

Through our efforts to communicate our paper and through the committee's work, we hope to encourage a province-wide process of discussion that will inform the Legislature and the government as we prepare for the nationwide debate.

We have asked that the select committee report back to the House when it resumes in March so this Legislature can debate this issue further to assist this government's representation of Ontario's and Canada's interests in whatever process of constitutional change emerges.

This is an ambitious schedule, but as we have looked around the country and seen other parliaments planning consultative processes that do not end until either late next year or even 1992, we have concluded that we do not have that much time.

1400

Alors, nous avons beaucoup de travail à faire ; c'est une réalité. J'ai hâte de travailler avec tous les députés de la Législature pour réaliser un objectif que nous partageons. C'est un objectif que j'espère que nous partageons aussi avec toute la population du Canada, un Canada renouvelé et plus fort.

We have much work to do. I look forward to working with all the members of the Legislature, and indeed the people of the province, towards a goal I know we all share: a renewed Canada and a stronger Canada.

POLICE LEGISLATION

Hon Mr Farnan: On behalf of the government, it gives me a great deal of pleasure to announce today that the Police Services Act will be proclaimed into law on 31 December 1990.

All members will be aware of the continuing need to rethink the manner in which policing services are delivered in this province. Exactly one year ago tomorrow, the previous government tabled a bill which later met with the support of all parties in this House.

Today, I want to indicate the government's support for the provisions of the new Police Services Act. Ontario's new Police Services Act represents the first comprehensive review of policing legislation since the Police Act was drafted some 44 years ago.

Public demands and expectations have changed dramatically over the past four decades; so too have the needs and obligations of policing. All institutions of policing are facing the pressures of dramatic and fundamental shifts in public expectations. Increasingly, the men and women of our police forces are actively engaged in crime prevention, education and community relations.

These activities have given shape and meaning to the contemporary concept of community policing and to the extensive legislative framework of the new Police Services Act. This framework supports a wide variety of new instruments and procedures, including a formal declaration of policing principles. The framework comprises:

1. an open and accountable procedure for public complaints;

2. a mandatory program of employment equity;
3. new initiatives in training;
4. procedures for the disposal of firearms;
5. an easing of trade union membership restrictions on police officers;
6. the historic creation of the position of first nations constable;
7. the establishment of municipal police services boards, and
8. the creation of the Ontario Civilian Commission on Police Services.

In addition, a civilian-led special investigations unit has already received proclamation.

The development of regulations which implement many of these initiatives is well under way and will continue in the weeks ahead.

Proclamation of the Police Services Act represents an important accomplishment for many members of this House. In particular, I want to acknowledge the contribution made in this regard by former solicitors general, the member for Mississauga North in particular.

As that member and all members will know, this legislation must serve many and, at times, competing interests. It must aim to meet the objectives of both the public and the police, and it must encourage and promote their mutual respect, support and partnership.

The government believes that this act represents a fundamentally solid foundation for the advancement of policing and police-community relations in Ontario.

RESPONSES

CONSTITUTIONAL REFORM

Mr Nixon: In responding to the Premier's important announcement, may I begin on a somewhat negative note by saying I object to the fact that the staff had a briefing for the press and many others before the statement was made in the House. He might compare that to some other official pronouncements here, but my own view is that when ministerial statements are made, that should be when the public announcement is made, and any further information should be made afterwards.

I think I can say, having consulted with my colleagues, that when the motion to establish the committee is put forward, we will second it. We believe that the approach to the people of the province should be non-partisan in that it is gathering their views and information.

In the second stage referred to by the Premier, debate in this House may very well move towards assisting the government, and particularly the Premier, in establishing Ontario's position in any discussions that take place, presumably under the auspices of the government of Canada, on proposed constitutional changes.

I have already expressed my concern with the timing of this. Granted the government has been in office just a few days over two months, but still we have missed some valuable time in co-ordinating an approach to selecting the views and hearing the views of the people of the province.

The Premier referred in his statement to the fact that we have an ambitious program, and we understand that in fact the committee, when reporting to the House, will be

essentially giving a report of the views that its members discern as they go about the province listening to the citizens, but I regret that we could not have got this under way sooner. We are very much in support of the Premier's initiative in getting into all parts of the community in the most effective way possible, with as much innovation as possible, soliciting the views of people in all parts.

He has referred to the native community, the aboriginals, the Indians as they are called on the reserve of the Six Nations, the largest in Canada, which I have the honour to represent. I would suggest, for example, that in cases like that the committee go right to the Indian community on its invitation, sit down in the council house and not call them into the august splendour of the Amethyst Room. I believe that an approach in this regard can be a useful one.

The second thing I want to say in this connection, and I want to leave time for my colleague, is that it is essential that this not be some sort of a lightning rod or some sort of a sounding board for those people in the community who in the past have embarrassed the people of this province, who carry a fleur-de-lis in their hip pockets so they can walk on it. There has to be some way where we do not restrict freedom of speech but we see that there is a balanced approach so that the members from all parties are going to have access to the sensible citizens of this province, which is essential if we are going to assist the government of the day and the other provincial governments in achieving our common goal, and that is not only the preservation but the strengthening of our Confederation.

POLICE LEGISLATION

Mr Curling: I must say it is a pleasure today to stand in the House and see the proclamation of the Police Services Act by the NDP government. We have requested this for some time and it is the result, as members know and as he has indicated, of the hard work by the public service and also the previous Liberal cabinet minister.

But I must say that I was extremely disappointed that the Solicitor General did not fulfil his major promise made in the Legislature earlier this year: that he would proclaim the Police Services Act and also bring in the necessary regulations to the act. The Solicitor General promised to fulfil this by the end of the year and he has not done so.

He announced earlier on that new regulations would have been done today. This means that the people will not receive the new regulations on issues such as the use of police provisions for force, racially discriminatory behaviour, a province-wide public complaints system, police pursuit guidelines and employment equity. Furthermore, the Solicitor General has not fulfilled the commitment to undertake broad consultation by the end of the year.

What he has done, basically, by not even bringing in new regulations is that we have the Liberal government that brought about a new model of the Police Services Act and he then put in place an old engine.

I want to ask the Solicitor General, when will he bring new regulations into this House?

1410

CONSTITUTIONAL REFORM

Mr Harris: I want to respond to the statement by the Premier and the announcement of the legislative committee to deal with the Constitution.

First of all, I want to congratulate the Premier on the initiative, particularly from the viewpoint of the consultation that he undertook with the leaders of the other two parties, the Liberal Party and my own.

I want to congratulate him on seeking that input and on listening to that input and on reflecting that input in the terms of reference in the motion he has drafted for us to debate before we leave this Legislature for Christmas.

I want to share with him my view, and I believe a sharing of his view, that indeed Ontario has a very strong role to play, that all parties in this Legislature seek not only what is in the best interest of Ontario, but I believe are unanimous in their conviction that a strong country from sea to sea is in the interest of this province, ahead of everything else.

The Premier disappoints me, quite frankly, in a couple of areas. The desire to move forward here in Ontario in a spirit of co-operation and non-partisanship, I have applauded. The silly partisanship in the statement today I believe takes away substantially from the tone, from the attitude of the Premier, from the perspective that Ontario should be starting forward with in this debate. I do not want to dwell on that save to say I thought it was very silly.

I also want to say that in the consultation we discussed the secretariat, the support for the committee being made available through the Ministry of Intergovernmental Affairs, and that this support, those resources, would be made available to the committee. That was my understanding and I think the Premier will recall I was very supportive of that and thought that made a great deal of sense.

I was disappointed in the process that the leader of the Liberal Party referred to today. The deputy minister, in response to a question about the paper that would be delivered to the committee at the end of January—would that be developed in consultation with the other two parties and in consultation with the other members of the committee?—said, "No, that will be a government paper." I would like to suggest to the Premier that there is still plenty of time to change that. It would be my view that the committee, in a non-partisan way, ought to direct and have considerable input into what will go into that paper, that it not be a government paper, not be an NDP paper, that it be a truly non-partisan committee paper that undoubtedly will be the working document.

I applaud the two-step process. We discussed this in our consultations and I believe there is a considerable amount of education necessary. I believe that we as legislators and the public of this province have to hear more than just, "We want a strong Canada." I think they have to understand what the west wants, what Quebec wants, what the maritime provinces want, as well as come to grips with what it is Ontarians believe is important in how our country operates.

In the discussions we had we did not talk about the nature of the committee. We talked about a select committee. Just as there is still time to have the committee direct the resources of a secretariat within the Ministry of Intergovernmental Affairs, before we debate this motion tomorrow I make this offer to the Premier, in a spirit of true non-partisanship, in a spirit of offering to this Legislature, to this province and to this country: my party's willingness to step with the Premier in this and suggest that perhaps the format of the committee, instead of the traditional committee structure, might be four, four and four, with four members of each party, with a Chairman and two co-chairmen, one from each party, so that we would indeed be viewing this work in a non-partisan fashion and could go forward together.

SPEAKER'S RULINGS

The Speaker: Before beginning oral questions, members may recall that there were a couple of points of order and a point of privilege arising out of yesterday's question period. I undertook to review Hansard on these matters and I would like to report to the House.

The answers provided by the Honourable Jenny Carter, the Minister of Energy, to a question and a supplementary asked by the honourable member for York East, Gary Malkowski, were well within the average for time and the subject matter did not constitute the announcement of new government policy.

I have also reviewed Hansard in relation to the matter raised by the honourable member for York Centre, Gregory Sorbara. I find that this does not constitute a matter relating to privilege. There certainly was a point of disagreement, which disagreement appears to be quite clearly on the record.

ORAL QUESTIONS

HIGHWAY CONSTRUCTION

Mr Nixon: I have a question of the Premier. It is our understanding from comments made by the Minister of Transportation that cabinet made a decision not to fund the construction, that is, the provincial share of the construction of the Red Hill Creek Expressway a week ago on 12 December. The regional council was informed of this decision Monday 17 December of this week. Hamilton city council has unanimously approved a resolution condemning the provincial government for its breach of trust in this regard, and it was unanimous in that the NDP members of the regional council withdrew from the vote.

Today a prominent city councillor in Hamilton, Brian Hinkley, revealed that he was informed of the cabinet decision Friday night 14 December after a meeting with area NDP members of the Legislature in the office of the Minister of Colleges and Universities. This was three days before the announcement was made public. Will the Premier comment on what I would consider a rather serious leak of cabinet information and a breach of trust?

Hon Mr Rae: I would agree with the Leader of the Opposition if that is indeed what took place. All I can say is that I have not talked directly to Alderman Hinkley, so I do not know whether that is what he said or indeed

whether that is anywhere near what happened. What I do know, from my discussions with the Minister of Transportation, my understanding from the Minister of Labour and from the Minister of Colleges and Universities, is that that is not in fact the case, that there was no leak by any of them of cabinet information.

Obviously, I will continue to inquire to see if that is true. I would share the member's view entirely if it turned out that a leak of a cabinet decision had been made. It is true to say that the cabinet decision was made last Wednesday. If it was communicated prior to the announcement to the regional council in the way the Leader of the Opposition has ascribed to in the media, it would be a cause of concern for me because obviously the announcement was intended to be made in the way in which it was made, that is to say, by the minister on Monday.

An hon member: Insider information.

Mr Nixon: My colleague behind me has interjected the phrase, "insider information." In this instance, the decision not to proceed with the expressway has ramifications of financial proportions that are enormous, since there were very large industrial complexes planned to be serviced by this particular installation. Now of course this land has lost value tremendously in the eyes of those who might be interested in development nearby, beyond the area that would otherwise not be in the control of the escarpment.

Since there are tremendous fiscal and financial involvements and since the cabinet decision was made public in an inappropriate way—what is somewhat galling, I suppose, to some of us, only to NDP and professed NDP local politicians—surely the Premier is going to have to take some substantial and serious action in this regard. I wonder if he would indicate what his process of investigation will be beyond simply discussing it with his colleagues, with whom surely he has discussed it before now.

1420

Hon Mr Rae: The Leader of the Opposition has in the course of his question made two allegations. The first allegation is to repeat the assertion that some people knew or heard definitively from ministers before anybody else. I have no reason to believe that is true. The second allegation, which is implicit in his question, is that somebody benefited from the decision.

The Leader of the Opposition made these two allegations, and with respect to the second I can only say to the leader that if he has any information which would suggest that anyone, anywhere either did or was able to take unfair advantage of this, I would ask him to bring it forward. Obviously, I will make inquiries as to whether this is true at all. But I want to say to the Leader of the Opposition that allegations made in this House are fine, but I think it is important for us to assess whether or not they are true.

Mr Nixon: The tenor of the Premier's defence indicates clearly that he too considers this a very serious matter, so at least we are in agreement on all sides. It is clear that a cabinet decision was communicated prematurely to a superselect group of people, perhaps even an individual in Hamilton before it was communicated to the local govern-

ment, which has since entered into a breach of trust resolution.

The Premier probably should wait to read it in the local press, but I am informed by the Hamilton Spectator that Mr Hinkley has said that the Minister of Colleges and Universities told him about this information in a meeting in his office on Friday, before the Monday on which it was communicated publicly.

I have no personal knowledge of this, but surely it is my duty and the duty of others to bring this to the attention of the head of the government. He is not the first head of the government who has expressed sincere and very strong views about these important matters. It now remains on him to communicate to us and the public at large what his judgement is.

I am prepared to accept from him his comment that he will investigate it personally. But I would ask him this: If there was any indication that the cabinet information was released prematurely—I am not saying anybody made gain; I am saying that the possibility was clearly there and the honourable member must surely accept that is a fact—that if the information is as I have described, will he tell me what his action will be?

Hon Mr Rae: All I can say is that the leader has made particular allegations, as he is entitled to do in this House. He has repeated information that was provided to him by a particular source. All I can tell him is that I will obviously investigate as to the truth of those allegations and report back to him as soon as possible.

INVESTMENT IN ONTARIO

Mr Kwinter: My question is to the Premier. The Premier will be aware of an editorial that appeared in the 17 December issue of Barron's, a highly respected US weekly financial publication of Dow Jones and Co. It has a circulation of about one million investment-minded readers internationally. The editorial, which was titled "Ontario Hydra: in Canada, a New Socialist Threat Raises Its Ugly Head," paints a very unflattering description of the prospects for Ontario under the New Democratic Party.

This is not a partisan issue. I am sure the Premier knows that I raise this issue because of a genuine concern that I have for the economic wellbeing of Ontario. In a week where events in the Middle East, in the Soviet Union, at GATT and many others are having far-reaching and massive effects on the global economy, the one issue that Barron's decided to feature in its editorial was the negative impact of the NDP on Ontario as a place to invest.

Could the Premier tell us what he and his government plan to do to bolster Ontario's international image as a good place to invest, and what he plans to do to counteract this negative perception that will be transmitted directly to at least one million current and potential investors?

Hon Mr Rae: We are going to continue to do what we are doing.

Mr Sorbara: And we are in serious trouble.

Hon Mr Rae: The member for York Centre does not agree with that approach, but I appreciate the question from the member for Wilson Heights.

I have met with a lot more business people in the last two months than I have over the last several years, I can tell him. I have met with literally hundreds of people from within the country and from outside the country. I have met with investors from Japan, with investors from Europe, with investors in this country. I have attempted my level best to explain to them that this government was democratically elected to fulfil an agenda with respect to protecting the environment and to advancing the interests of the people of the province, but that we continue to want to do business with the rest of the world.

I think our decision, which was criticized by that party's leader, for example, with respect to the British Gas purchase of Consumers Gas, which was a controversial decision, was a decision that signalled, I think, very clearly to the business community that provided there was a benefit for the province, a benefit for the workers and the working people and the people of this province, we are prepared to do business and we are prepared to bargain hard, well and effectively. That was certainly the message the Treasurer and I took on our trip to New York, and that is the message I am going to be taking to business people wherever I meet them, and saying as clearly as I can.

I want to say to the honourable member for Wilson Heights that I appreciate his concern. I think one has to take with a grain of salt some of the things that are said in some of these publications. We are going to do the very best we can to talk seriously to business people about the kinds of alternatives and benefits there are to doing business with the province, which is a good place to invest, which has a good skilled workforce, which has a strong commitment to education and a strong commitment to good social programs. That is the commitment we make to the people of the province and to the business community around the world.

Mr Kwinter: The agent general in New York stated on 27 October that the financial community is understandably nervous about our government. She went on to say, "There is a socialist government in Ontario and that's completely foreign to the people here." The Premier knows that he must attract new investment in Ontario because investment creates jobs, something that this province desperately needs. In a Statistics Canada report today, economist Phillip Cross stated that what is worrisome about the current recession is that the decline in business investment is happening in new plant and equipment.

It is strange that given these acknowledged fears illustrated by this Barron's editorial and in other articles such as the one by David Frum that appeared in the Wall Street Journal, the Ministry of Industry, Trade and Technology has frozen advertising in the European, Pacific Rim and US markets to promote Ontario as a good place to invest.

Normally the ministry places strategic ads in business and investment publications in these markets to help develop a positive investment image for Ontario's business abroad. According to ministry officials, however, the

government decided to freeze strategic ad campaigns in these publications at least until the spring of 1991. As Ontario is facing its hardest winter since the depression, the government has decided that it does not need to attract new investment and new jobs to Ontario. Could the Premier tell us why.

Hon Mr Rae: The last statement that the member made in his question is simply untrue. I do not know how I can say it more clearly than that. I mean, people can say these things but it does not make them true. He can say it over and over again and it still will not make it true. The fact of the matter, as we have conveyed as clearly as we can to the business community around the world, is that we are open for business.

I would remind the member for Wilson Heights to put this in some perspective. There is a serious recession going on in the United States. There is a serious recession going on in many parts of the world. There is a dropoff in investment that has been going on for some time, under his government as well as now, with respect to the recession that is ongoing.

We have indicated the confidence we have in our economy by being committed to a \$700-million program. We are asking others to come on board so that we can make it over \$1 billion. We have had several meetings with respect to new investments that are ongoing, but the member's statement, when he says, for example, that we are not interested in any investment in the province is patently untrue.

Any decision with respect to advertising in other jurisdictions, I can only assume because I hear the assertion made by the member, was based on a need for us to review the strategic position because some of that was not working before and we want to make sure that it works better. But that is the principle under which we are working and that is the principle under which we will continue to work.

1430

Mr Kwinter: The Premier should be aware that half of the international promotions budget in the ministry has not been spent because of this imposed freeze. In fact, the money was not reallocated. I can understand if he felt that because of budgetary constraints he would take that money and put it somewhere else. The money has not been reallocated. It is just sitting there in the bank.

The Premier knows of the importance of Ontario's image in international investment markets and of the fears the election of a socialist government in Ontario has raised. This is why one of the first things he did after becoming Premier was to travel to New York to soothe the fears of investors. He also knows that investment creates jobs.

What is not clear is why another one of the first things that the Premier's government did was to freeze the major vehicle for our investment image abroad, and he has frozen it until the spring of 1991. The government has withdrawn from the field. It has created a vacuum and this vacuum is being filled by fears and editorials like the one I cited that appeared in the 17 December issue of *Barron's*. They have put a freeze on international advertising this

winter, when our image and our economy need it the most. Ontario is frozen enough. Ontario needs new investment, new jobs, now.

Does the Premier have any specific plans to address how he is going to encourage investors in the United States and other parts of the world to put their money into Ontario, given these negative signals that are being sent out by the international financial media?

Hon Mr Rae: I hope the underlying assumption behind the member's question is not that when his leader or indeed he went travelling somehow that was not to assuage any fears, that was to drum up business, but when I go travelling down to New York with the Treasurer somehow that is to assuage fears. That is a very unfair way of describing the world and it is based on an assumption that when Liberals do things, they are the only ones who are entitled to govern, but when New Democrats do their job and do the job that we have to do, somehow it is based on a policy that is not there.

Surely we are entitled to review the advertising efforts that they made to see how successful they were and to see whether they can be improved. Surely we as a government are entitled to review that. I know it is very hard for Liberals to understand that sometimes we do not have to spend money on public relations and do not want to necessarily just sort of let her rip and let that spending go, but I can tell the former minister that there is no divine right to govern on that side. There was an election on 6 September.

I would suggest that on the odd day the Liberal government got some negative editorials in various publications from time to time, we never raised it and said, "This means that the entire business community around the world is afraid to do business." I think the member has to be very careful of the way in which he is seen to portray what is taking place. We are a democratically elected government. We are going to govern on behalf of the people of this province in a way that is fair to all the people of the province.

[Applause]

The Speaker: This is wonderful. New question, the leader of the third party.

Mr Harris: I want to agree with the member for Wilson Heights. It was a non-partisan question. Nothing has changed since 6 September. We are into our sixth year of non-investment, non-business, non-attractive governments in this province.

TAXATION

Mr Harris: I have a question for the Premier. The Treasurer, when he announced the fair tax commission, indicated it would take some 12 to 18 months after it was set up—that is what he anticipated the time would be before he would receive input from that commission. Yesterday, on my question the Premier confirmed that the fair tax commission will not be ready in time to provide any meaningful input into this budget and in fact on the 18-month time line it will report some time after the Treasurer's second budget, or at about that time.

Given that obviously it will not be in a position to have any meaningful input for this budget and that the Premier and his Treasurer have consistently referred, when we have asked about taxes and new taxes and school taxes, to waiting for the report of the fair tax commission, is it safe to assume there will be no new taxes in the spring budget?

Hon Mr Rae: I think I will let Floyd do it.

Hon Mr Laughren: He said "Floyd" without an adjective—what is the word?—anything in front of it.

An hon member: Qualifier.

Hon Mr Laughren: Qualifying adjective; that is right.

The leader of the third party is not being quite fair. When the leader of the third party was in opposition with us he was always fairminded then and I am surprised that he has changed now. Anyway, the leader of the third party should understand—I have tried to say this before—that when the Fair Tax Commission is being set up in January that will not allow very much time to provide us with information and advice for the 1991-92 budget.

However, between the time it is established and the ensuing budgets leading up to the end of 1993, we are confident that there will be interim reports coming to us with advice on various tax measures. It is our determination not to wait until the three years is up, or whatever length of time it takes the commission to report, to act on various tax measures. We will be taking their advice during that period as their interim reports come through to us.

Mr Harris: The Treasurer has indicated and his Premier has indicated that there is a need for an overhaul of the tax system. I believe he said that in the campaign and his Fair Tax Commission alludes to that: one tax, several that he suggested—I guess it was the property tax for education—should be eliminated completely. In his past he has said sales taxes are regressive and they should be eliminated. We know he does not like the employer payroll tax and that that one should be eliminated, and others that are there. But when we have asked those questions, he has said: "You will have to wait for the fair tax commission to assess it all, and we want to come up with a fair way of collecting taxes."

What I am asking the Treasurer now, since it has been referred to him by the Premier, is that given nobody, including his Premier yesterday, expects that there will be time for any meaningful input into taxes, certainly not in a comprehensive way, is, should we not expect any new taxes by way of succession duties or minimum corporation taxes or other tax revenues until we have had a chance to assess the overall picture?

Hon Mr Laughren: In response to the leader of the third party, I think it is fair to say that for the 1991-92 budget we are not going to see an entirely revamped tax system in the province of Ontario. I think that would be presumptuous on our part and it would quite frankly be foolhardy to proceed at that kind of pace.

We want to take a very serious look at the tax system, at what the alternatives are and the various kinds of tax measures. I do not think it is fair for the leader of the third

party to imply that there will not be any changes in the tax system for the 1991-92 budget. I hope there will be some, but at the same time we are cognizant of the fact that we are in a recession. We are cognizant of the fact as well that as expenditures climb, we are going to need new revenues. I am sure the leader of the third party will appreciate that we are engaged in some kind of balancing act, which is always the case, particularly when we are in a recession. I can assure him that when those tax measures are introduced and brought in in the new budget, they will be designed to make the tax system even fairer than it is now.

1440

Mr Harris: The Treasurer said that his expenditures have climbed. Could he tell us why we should automatically assume, when everybody else's expenditures are declining, his should climb?

Hon Mr Laughren: First of all, I was not aware that everybody else's expenditures were declining. I have not seen any evidence of that. But also, I think that to be fair the leader of the third party would understand that there are some programs that were introduced, such as the Homes Now program introduced by the former government, whose costs are growing in the next couple of years. They become very substantial growth factors on the expenditure side. So I do not think it is fair to imply that everybody else's expenditures are declining. That is simply not the case.

We saw this year, for example, that welfare case loads went up very, very dramatically. That is an open-ended program. In a sense it is a kind of antirecession package as well, as people get laid off and unemployment insurance benefits run out and so forth. Those are in themselves a kind of buffer against the recession. I do not think it is appropriate to say that it is expected of us that our expenditures should be declining in a time of recession.

COURT SYSTEM

Mr Harris: To the Attorney General: I am sure others were as disgusted as I was to read in the papers this morning that Ontario judges have thrown out over 2,400 cases against drunk drivers in this province because of the failure of the Attorney General to deal with the problem of court backlogs. My question to the Attorney General is, since he has not been able to effectively deal with it at this point, can he tell us two things: First, does the Attorney General plan to appeal all 2,400 cases that have been thrown out, and second, what plans does he have in place now to make sure this does not happen again?

Hon Mr Hampton: I share the concern that has been expressed by the leader of the third party with this problem. I want to point out to him very directly that this problem has been growing for a number of years. In fact, the exact decision that was handed down by the Supreme Court of Canada on 18 October setting time limits during which cases may remain in the court system was a case that arose in 1984 when there was a Conservative government in this province.

I want the leader of the third party to understand that we are trying now to deal with a problem that has been in

the court system for, in some cases, four and five years. It is true that government should have done something about it two years ago, three years ago, even four years ago, so we have to now make up for lost time. We have appointed 27 new provincial division judges. We have appointed over 50 new crown attorneys. We are in the process of appointing over 200 court staff to handle the problem. We have asked the Supreme Court of Canada to consider another case that will give us more complete guidelines.

I say to the leader of the third party that we are now in the process of having to try to make up for mistakes that governments have made in the past, but I think we are doing a very good job under the circumstances.

Mr Harris: Does the Attorney General plan to appeal the 2,400 cases thrown out?

Hon Mr Hampton: I have said on previous occasions and I will say again that cases that are judicially stayed or dismissed and cases that involve serious criminal charges are reviewed by the crown law office to see if there are grounds for appeal. That is what we are doing whenever we face serious charges that have been dismissed as a result of the Askov decision by the Supreme Court of Canada.

Mr Harris: I assume from the response that drunk driving charges are not serious. If they are serious the Attorney General is going to appeal them. That is what he said. I do not know why it is so difficult for him to say, yes or no, "I am going to appeal them" or "I am not." The minister has said he is not going to appeal them, that he is only going to appeal serious charges.

Can the minister tell me why the Solicitor General is spending the amount of money he is spending and why police forces across this province are spending the money they are spending on the RIDE program, on trying to reduce impaired driving, particularly in this holiday season.

Does the minister not realize how demoralized police officers are, knowing that potentially half the charges they are going to lay will be thrown out? Does he not realize how demoralizing it is for people, and the negative impact this has on people, drinking and driving, with all the money being spent? There are the gains we have made over the period of the last years, since 1984 if you want to back that far, and now people can say it is a 50-50 chance they are going to get off anyway.

Since the minister has said to me he plans to appeal all the charges that are serious, does he consider the 2,400 impaired charges that were thrown out serious? If so, is he going to appeal each and every one of them so that there will be integrity in the program and a little morale back in the police force in this holiday season?

Hon Mr Hampton: I want to acknowledge again that we certainly appreciate the seriousness of the problem. However, I want to point out to the leader of the third party that if we were to try to appeal every charge that has been thrown out, we would merely be congesting the courts even more than they already are and leading to a more serious problem further down the road. The standards are good standards. We will look at every charge that is dis-

missed or stayed to see if there are good grounds for appeal. If there are grounds for appeal and we think we can win on appeal, we will appeal the charge.

However, we are not going to go through a public relations exercise and try to appeal charges that are obviously out of date by Supreme Court of Canada standards. That may look good in terms of being a public relations exercise, but it will do nothing to alleviate the problem and it will lead to more court congestion further down the road.

I want to say further that while we have great difficulty in making up for problems which occurred in the criminal justice system three years ago, two years ago, a year ago, we make the guarantee both to people out there in the law enforcement sector and the public that as we go forward from here, charges that are laid now will not be stayed due to delays in the court system. We will have the resources there to do the job and we will do a better job of managing the system so it does not happen in the future.

Mr Sorbara: I for one am glad to hear about the Attorney General's guarantee and his commitment to completely clear up the court backlog by next fall. I look forward to his resignation if he does not make that target.

LAYOFFS

Mr Sorbara: My question is to the Premier. The question concerns a commitment that the Premier made, not before the election when by his own admission he was not looking forward to forming a government, but a commitment that he made after forming his first cabinet.

On a daily basis in this province we are confronted with an ongoing litany of business failures and job losses. Most of these, as we all agree, arise from the deteriorating economic conditions that we are experiencing in this province. But in the case I am concerned about some 323 full-time employees and some 120 part-time employees were dismissed as a result of the purchase of the food chain Miracle Food Mart by the A&P food conglomerate.

Those employees were so concerned and aggrieved by their treatment in conjunction with this merger and this purchase that they demonstrated here in front of this Legislature. The Premier in confronting the workers of Miracle Food Mart gave his personal undertaking to "look into the matter." My question for the Premier is simple. Has he looked into the matter, what has he done in respect of that matter and when is he going to report to the workers and to this Legislature on that matter?

1450

Hon Mr Rae: Following that impromptu session on the steps of the Legislature, I will say honestly to the member that I did start some inquiries. I will have to get back to the member with respect to precisely what the answers are.

Mr Sorbara: It is simply not satisfactory that when a Premier of this province gives an undertaking, even if it is impromptu, he will maybe fulfil that undertaking. He, as a lawyer, knows that when a lawyer gives an undertaking the Law Society of Upper Canada requires the lawyer to fulfil the undertaking. Now he undertook with those workers to look into the matter.

I want to tell him that the workers are looking into the matter and there has been no resolution of issues relating to notice and severance. There has been no employment adjustment committee set up, generally a matter that the Ministry of Labour does as a matter of course, to assist those workers with re-employment. There has been no response from the office of the Premier to a request for funds for their own future fund that they themselves have organized to assist those workers.

Those workers will be out of work this winter. The government has done virtually nothing to help them find new employment in the greater Toronto area. Why is the Premier willing to simply give an undertaking when there is a demonstration in front of the Legislature and then let it go by as soon as he gets back to his office?

Hon Mr Rae: There may have been a failure on my part, and if there has been I apologize to the member and I apologize to the workers involved. I will look into the matter as quickly as I can. As I say, I asked that certain inquiries be made. I did make that undertaking. I have a very vivid recollection of that exchange. As far as I know, I have not heard back from the workers themselves with respect to a request for a further meeting. If there has been a further request, obviously the Minister of Labour and I will respond to that. But let me make it very clear to the member that if he feels that I have let him down or anybody else down, he has my full apology.

NURSING STAFF

Mr Eves: I have a question of the Premier. I would like to ask the Premier, is the government of Ontario prepared to announce today that he will meet directly with the Ontario Nurses' Association and the Ontario Hospital Association and that he is prepared to play a role in seeing that enough money is provided for nurses that they will stay on staff at our hospitals, they will be paid, they will be treated and they will be seen as the critical foundation of our health care system when it comes to our institutions? Is the Premier prepared to do that today—yes or no?

Hon Mr Rae: I appreciate the question from the honourable member for Parry Sound who has had a long-standing interest in this, as I have. I believe that I am the first Premier of the province to have ever spoken to a convention of the Ontario Nurses' Association, which I did a few short weeks ago. It was a good meeting and I was very pleased to have been invited and I think it was a good invitation.

In answer to the question from the member, I think the process is very clear. It is certainly understood by the ONA and by the OHA. First of all, there has been absolutely no request from either group for me to play such a role. The bargaining that is taking place is the professional bargaining that takes place. The fact that the government of Ontario obviously has an ongoing interest, that we represent the taxpayer and that we also have very clear policies with respect to equity is well known by both parties. They have met with the Treasurer. The Minister of Health is obviously taking a keen interest and we are obviously looking at these negotiations with considerable and great interest, but

at this stage no one has asked me to intervene and therefore it is not my intention to do so at this stage.

Mr Eves: That is an interesting response indeed, because the question I just asked the Premier is word for word the very question that he asked the Premier on 11 January 1989, standing in this Legislature, almost two years ago today. At that time he was asking the Premier of the day the very same question, to become involved one year ahead of the time the nurses' contract ran out, some 14 months before it ran out. Is he going to do what he asked the previous Premier to do—yes or no? Put up or shut up today, please.

The Speaker: I think that the experienced and well-respected member for Parry Sound does not normally use that type of vocabulary and may wish to rephrase.

Mr Eves: If the comment, "Put up or shut up," disturbs the Premier I would gladly retract that, withdraw that from the record. The question I have is still the same: Is he going to do today what he asked the Premier to do on 11 January 1989?

Hon Mr Rae: Mr Speaker—

Mr Eves: Now put up or shut up.

Hon Mr Rae: And a very merry Christmas to the member for Parry Sound too.

I appreciate the question and I want to say to the honourable member that I do not take particular exception to the language. He is entitled to be as blunt, as far as I am concerned, as he wants to be.

Let me say directly to the member that the circumstance—if I recall, and I hope I am being fair in my recollection—in January 1989 had to do with a specific request that came from the Ontario Nurses' Association itself in response to problems that were being experienced in critical care with respect to nurses who were not there because they had left the profession. He is quite right that at that point both he and I, as I recall, were very blunt about what we saw as the necessary response from the Minister of Health and the Premier. What we are looking at now is, if I may say so, a slightly different situation. I think it is a fair description to say that.

Mr Scott: Ah, it sure is. You're the Premier.

Hon Mr Rae: No. I say to the member for Parry Sound that the contract is now reaching its termination point. There is going to be a serious renegotiation of the contract, which process must be allowed to continue.

Mr Eves: You were asking the Premier of the day to interrupt it 14 months before it expired.

Hon Mr Rae: At this point I will say to the member for Parry Sound as clearly as I can, if I may respond to the question, that I have not received any request from the parties to intervene. Neither has the Minister of Health, to my knowledge; neither has the Treasurer. Obviously, if and when these requests are made, they will be dealt with. That is the spirit in which I am responding to the member's question.

ENVIRONMENTAL ASSESSMENT

Mr Sutherland: Today the Minister of the Environment released the discussion paper on environmental assessment process entitled, *Toward Improving the Environmental Assessment Program in Ontario*. I know there are many people in Ontario, and more particularly in my riding of Oxford, who have participated in the environmental assessment process who would like to have input on the development of a new process. My question to the minister is, what opportunities will the public and the people of Oxford have to provide input on the environmental assessment process?

Hon Mrs Grier: I am pleased to be able to tell the member and the House that the environmental assessment improvement program discussion paper, which I released today and which I may say was prepared by a task force established by my predecessor—I want to acknowledge the work done by them and by the member for St Catharines in preparing this discussion paper. I recognize the need to move very quickly to make improvements to the Environmental Assessment Act, but I have referred the discussion paper to the Ontario Environmental Assessment Advisory Committee and asked it to undertake a consultation process and to make recommendations to me as quickly as possible.

Mr Sutherland: My supplementary, as the minister knows, deals with the issue of solid waste management. The number of areas in the province where that is becoming of concern is growing at a fast rate. While municipalities are responding positively to the initiatives of the Ministry of the Environment to reduce waste, requests for new landfill sites will be coming forward. Many of them will be going before the environmental assessment process.

What I would like to know from the minister, and what I think the people of Oxford, particularly the people of southwest Oxford who went through this process and probably the people of Woodstock and Orangeville who will go through a similar process, will want to know is, what assurance can the minister give the public that a new environmental assessment process will be fairer and faster for all the parties involved?

1500

Hon Mrs Grier: The recommendations contained in the discussion paper are designed to do just that. They look at shortening the time frames, at reducing the number of steps involved in the environmental assessment process, at putting the planning and consultation part of the process up front before the actual formal environmental assessment is completed. I know that the environmental assessment advisory committee has already scheduled three public meetings, one in Ottawa, one in Toronto and one in Thunder Bay, and is prepared to hold further public consultation. Certainly it is my hope that every community facing an environmental assessment, for whatever reason, will be able to take advantage of the new and improved Environmental Assessment Act before the end of next year.

LAYOFFS

Mrs Fawcett: My question is for the Minister of Energy. I would like to draw the minister's attention to the inadequacies of the agreement between Ontario Hydro and the International Brotherhood of Electrical Workers Electrical Power Systems Construction Association of Ontario.

Is the minister aware that 65 Ontario resident journeymen were laid off from the Darlington site on 28 November and another 20 were laid off just this past week? These taxpaying residents of Ontario were laid off before those tradesmen on the job from out of province. My question is, does the minister feel that Ontario Hydro and Ontario's Minister of Energy have a moral obligation to the taxpayers and workers of this province first, especially in view of the downturn in Ontario's economy?

Hon Mrs Carter: I was unaware of the situation the member opposite is describing. If what she is saying is the case, then I would deplore it as much as she would, and I will certainly see what else I can find out about this matter.

Mrs Fawcett: I am interested that the minister is in agreement that this is a deplorable situation, but I am wondering also, is the minister aware that these many out-of-province travellers are entitled to, and in fact receive, a tax-free allowance of \$31 a day for each and every day that they work? Can the minister explain why in these economically depressed times we are giving away tax-free dollars to out-of-province workers while our own workers are being laid off? This is clearly irresponsible. Once again, does the minister, indeed this government, not have a moral and economic obligation to the taxpaying workers of this province? When will the minister intercede and put our journeymen back to work?

Hon Mrs Carter: This is another matter I shall have to look into.

DEPUTY MINISTER OF CULTURE
AND COMMUNICATIONS

Mr Tilson: I have a question for the Minister of Culture and Communications. I am sure the minister heard the horror story this morning of the carryings-on of his deputy minister. He will be aware that his recently appointed deputy minister, David Silcox, has set an all-time expense-account record for a public official since coming to the ministry in 1987. We all heard about it, of course, on the news this morning and the response to the press this morning. It was unbelievably vague and naïve.

Among other things revealed by CBC Radio, the deputy minister, Mr Silcox ran up \$45,000 in travel and entertainment expenses in 1989. He spent \$5,000 for theatre tickets over 18 months. His entertaining at home was staggering, with taxpayers picking up the tab for groceries, liquor and cut flowers. The total of this public official's expenses over a 19-month period was \$75,000. Mr Speaker, that is probably more than what you make.

Now Mr Silcox has apparently destroyed these expense-account records regarding much of his spending. The records have been shredded. They are gone. These expenditures are the dawning of a new Watergate for this government. Does the minister condone the spending

habits of his deputy, Diamond Dave Silcox, and his deep-sinning of receipts? What specifically has he done to control this man? He is out of control.

Hon Mr Marchese: Three things: One, as I understand it, there have been expenses which have been audited and the auditor has cleared those expenses. Once that is done, those receipts are no longer kept, and that is according to the rules as I understand them. That has been done. In my opinion they are excessive, but it has been done in accordance with the rules as we all understand them.

Since I have come into this ministry, I want to tell the member across from me that I have said to my staff that I expect the staff to do things as judiciously as possible, and when we travel we are frugal. When I travel, I am. My expenses are limited to the basic needs and I expect the same of all the members. I expect and I anticipate that this is what has happened since I have been in my ministry and it will continue in that way. I do not believe that this response is either vague or naïve.

Mr Tilson: I cannot believe this minister is condoning these expenses. This deputy minister should be fired. Given the clear void in overall government policy that permitted Diamond David Silcox to cut such a wide swath through some of the finest local restaurants, theatres and hotels, not to mention his foreign travels, is he, as minister, who must be clearly embarrassed—he has got to be embarrassed by this—prepared to strongly recommend to his colleagues, in particular to the Chairman of Management Board, that tough new rules on expense accounts must be brought in for the entire public service, and will you endeavour to find out from your deputy the exact date that he destroyed these particular records?

Hon Mr Marchese: I do not believe that in my comments I have condoned those expenses incurred by the deputy. Much of this happened in a time prior to my time, under a previous government. What I have said in terms of what I have done is to say that once I came into this ministry, what I have said was that I expected the deputy and all the others to watch their expenses, to be frugal in their expenses and to do everything judiciously. This is what I have done.

As to the rules, I said that I would look into the guidelines and make sure that people are adhering to those guidelines, and if they need to be clarified, I will do so, and if they need to be toughened up, we will look at that. I have said that to the press and I say this to the member.

WORKERS' COMPENSATION

Mr Silipo: My question is for the Minister of Labour. The minister, I know, is aware of the many concerns that injured workers have with respect to the Workers' Compensation Board and I could ask a number of questions around that, but today I want to just focus in on two aspects.

One of those is section 45(a) of the Workers' Compensation Amendment Act that was passed by the previous government, the infamous deeming provisions. That section allows the WCB to reduce the benefits of seriously injured workers by pretending that these injured workers

have earnings which they do not in fact have. This policy of deeming threatens to condemn injured workers to a lifetime of poverty in order to keep the WCB's costs down and also reduces the incentive to make workplaces safer.

I would like the minister to reassure workers that the hated deeming provisions of Bill 162 will be removed from the act.

Hon Mr Mackenzie: I thank the member for his question. This is indeed a difficult question for our government as we were saddled with a piece of legislation, Bill 162, which we fought in opposition. Let me say without hesitation that our government feels exactly the same way about deeming now as we did while in opposition in this House. We do not like it. It is wrong. It punishes those who need help the most. We must find an alternative way to fairly compensate injured workers and get them back to productive employment.

We do not believe, however, that hasty changes to the Workers' Compensation Act are advisable. There are many things about the act that need to be changed, changes that will benefit both injured workers and employers. We do not want to repeat the mistakes of the past and do half a job of reform.

But I am pleased to report that the corporate board of the Workers' Compensation Board has recently adopted a policy on interpretation of section 45(a) that effectively eliminates deeming when an injury prevents a worker from returning to his or her pre-injury job. This policy will be reviewed no later than a year from now and we hope at that time to have a much better alternative to deeming and the development of future legislative action.

1510

Mr Silipo: The minister, I am sure, also knows that it is not just fair compensation for injured workers that is important, but also rehabilitation that returns them to meaningful jobs. The minister has also heard, I know, the many complaints about the Workers' Compensation Board's poor rehabilitation efforts. Does the minister plan to push the Workers' Compensation Board into improving its rehabilitation efforts?

Hon Mr Mackenzie: Both workers and employers are generally dissatisfied with the board's rehabilitation efforts, even though many of the board's rehabilitation staff are very skilled and dedicated people. I believe there are simply not enough personnel to do an effective job in this area and I hope that in the new year the new members of the board, whom we are appointing now, along with the existing board members, will come to grips with this problem.

I want to say as well that we will be closely monitoring and watching the reinstatement and re-employment provisions of the act and how they are enforced. We believe that most employers will honour their obligation to take back workers who are injured in their employment, but we will be looking for quick enforcement if an injured worker is denied these rights to re-employment. The best rehabilitation is getting a worker back to his or her job, or if that is not possible because of the injury, a comparable job with no loss of earnings.

Mr Offer: On a point of order, Mr Speaker: I take exception to that type of question where the minister has responded with a clear change in policy. He has not allowed us, as the opposition or members of the third party, to respond to what is clearly a ministerial statement that is clearly a change in the existing legislation under the Workers' Compensation Act. I believe my rights as a member have been prejudiced by this type of question and answer, where the minister is being given the opportunity through the back door of indicating what might be new government policy on a very crucial matter under the Workers' Compensation Act. I do not believe that is a proper exercise of the minister's right to make a statement, nor of the member who has probably been asked to make that statement so that the minister can get that particular issue in at this time.

Interjections.

The Speaker: I would be pleased to review the matter. I listened quite intently above the noise, and while I do not believe it is a point of order, I will be more than pleased to take a look at Hansard and report back to you later.

ONTARIO PUBLIC SERVICE EMPLOYEES UNION

Mr Sola: My question is directed to the Chairman of Management Board. I bring to the attention of the House the words of Frank Rooney, the managing editor of the magazine of Ontario public sector workers. In the November edition, I quote, "OPSEU's successful ads and forums contributed to the election of the NDP government." He goes on to quote OPSEU board member Ron Martin, "Now our union enters the halls of Parliament and is treated with respect."

The kind of respect accorded OPSEU thus far is quite different from the respect this government has shown the laid-off workers of this province, the taxpayers and indeed the majority of people in this province. OPSEU gets action, where the laid-off workers get platitudes. As we have seen, OPSEU was able to meet with the Minister of Community and Social Services to demand a hold on the deinstitutionalization program, which was granted before the minister consulted with affected groups or individuals. Does the minister feel that her position as a former negotiator for OPSEU has contributed to the disproportionate attention that group is getting from cabinet, or is it because of all of OPSEU's help in electing her party?

Hon Ms Lankin: Quite frankly, my ex-colleagues from OPSEU tell me they are not getting enough attention by this new government. The assertion the member makes, I think, is invalid. I think I bring to my role in this job an understanding of a number of issues that I think is of help to the government with respect to understanding issues in the public service. I believe that I am not a unilateral person, that I have more to me than my past work experience and that I am making a valuable contribution. I believe the member's assertion is incorrect.

Mr Sola: As the person charged with representing the province's interests and protecting the public purse in negotiating with OPSEU, does the minister feel that her

position poses a conflict of interest in bargaining with that group on behalf of the government and as Chairman of Management Board, and if not, why not?

Hon Ms Lankin: In fact, I do not see it as a conflict. I think I bring to this job skills in negotiations, a background and an expertise that few chairs of Management Board have had before me. I think that those skills and understanding the economic conditions, what has to go on at a bargaining table, how to arrive at a negotiated settlement, how to read the world of arbitration, in this case how to take very seriously the responsibility of taking care of the public purse, is the responsibility that has been charged to me. I ask the member to judge by my actions. I ask him to look as things unfold and we will talk about it at that point in time.

LAYOFFS

Hon Mr Rae: I have an answer that I would like to give to the member for York Centre. It turns out, as luck would have it, that my staff have been far more diligent and aware of what has been going on than I have. I would like to respond directly to his question as it has been referred to me.

Several hundred employees at the Miracle Food Mart warehouse were laid off, members of the Teamsters union. We have had correspondence from some lawyers as well as contact between my office staff and many of the individuals facing layoff, in particular Mr Payne who was in repeated contact with our office. Once it became clear that issues were related to rights enforceable under the Labour Relations Act, we referred correspondence to the Minister of Labour. The propriety of layoffs and the question of who is going to be protected and how they are going to be protected has in fact been taken to the Ontario Labour Relations Board and is now scheduled for hearing in January. As the former minister would understand, given that it is now at hearing, it is not possible for me to interfere.

From the company's point of view, there is no issue simply because it is its argument that A&P did not buy the warehouse part of the Miracle Food Mart operation. The Teamsters union, which is the union in question—I think some of the people who have been in touch with the member are what might be described as members of the union who have a different point of view perhaps, or are at least putting forward an independent perspective. But the Teamsters union is claiming successor rights under its collective agreement, and the question of successor rights is going to be determined at a hearing in January under the Ontario Labour Relations Act.

Mr Sorbara: As it turns out, the Premier is now reporting what the situation is from the perspective of the information that the Ministry of Labour has and information given to me by some of these workers. I simply want to tell the Premier that it seems rather odd in the circumstances that notwithstanding the fact that some matters are before the Labour Relations Board under section 70 of the Labour Relations Act, the government has not taken the opportunity to do two things that it can and should be doing.

The first thing that it can and should be doing is to set up urgently the standard kind of employment adjustment committee, which the Ministry of Labour has great expertise in setting up, to assist workers who are not going back to work. The second thing that the government could be doing and probably should be doing in this case is responding positively to the workers' demands for some financial assistance to their future fund.

I am simply asking the Premier at this point to give the same sort of undertaking that he gave to those workers, and that is, would he urgently respond to the question of the workers with respect to an employment adjustment committee and some funding for their future fund that will help them in this time of very severe crisis?

1520

Mr Curling: That's reasonable.

Hon Mr Rae: What the member is saying is not unreasonable. I will certainly discuss it with the Minister of Labour because it is clearly an area that falls under his responsibility. I certainly take his suggestions very seriously this time, as I always do.

The Speaker: The time for oral questions has expired.

WORKERS' COMPENSATION

Mr Harris: On a point of order, Mr Speaker: I believe that the member for Hamilton East, the Minister of Labour, inadvertently misled the House when he referred to the Workers' Compensation Board, that there would be new appointments made early in the new year and that they would be carrying out the new policy. It sounded to me a lot like there would be some partisan New Democratic Party appointments to the WCB. I know the Premier has said there will be a new consultative process both pre and post. I have not heard of any consultation from the Premier about these new appointments. All I have heard is that the process will not be ready till next spring, and I wonder if the Minister of Labour might want to correct the record on that.

The Speaker: That is not a point of order, but certainly is a point of interest which I gather has been heard by the Minister of Labour.

USE OF TIME IN QUESTION PERIOD

Mrs Marland: On a point of order, Mr Speaker: My point of order is this: We have just extended question period by three or four minutes and I feel that my privileges have been violated. I am wondering if in the interest of the season and the fact that I have a question I know the Premier would have wanted the opportunity to answer, you would extend the same privilege to the third party that you just extended to the government and the official opposition.

The Speaker: It is really quite fascinating. The opposition enjoys a bonus in that there is a reply and a chance for a supplementary outside of the 60 minutes allotted for questions and answers and then complains. I am sure that the member's intense interest in question period will be reflected in her attendance tomorrow.

Mr Eves: On a different point of order, Mr Speaker: Under standing order 31(a) there is a period of the day set aside for ministerial statements. Earlier this afternoon during question period, I believe the Minister of the Environment really issued a ministerial statement about the release of her discussion paper on environmental assessment review in response to a question from the member for Oxford. I would ask you to look into this matter, Mr Speaker, and see that the rules are adhered to in this place hereafter about that standing order.

Mr Elston: On the same point, Mr Speaker, I think that probably we would not be as aggressively pursuing this line of points of order if it were not that this has happened on more than one occasion and seems to be part of the strategic use of the rules of the House, or in fact misuse of the rules of the House by the governing party. They have an opportunity so that we as critics, or the critics among our party members, can have a chance to reply to these new statements, these new policy decisions made by the minister in his or her capacity as leader of a department.

The standing orders are quite clearly designed to allow the opposition parties to provide the public with a more balanced view of the announcement. They choose to use their printed and pre-set and then pre-established answers to deliver statements of policy that we as an opposition have no opportunity to critically analyse, or on occasion, as we have done in this sitting, agree with. I think it really does not sit very well with us as opposition members when we find that sort of misuse of our standing orders and the time of the House going on on a regular and now very frequent basis.

The Speaker: First of all, I am always pleased to consider every point of order raised. I will again today, as I have in the past, review the matter raised and will be more than pleased to report back to you at my earliest convenience. I think the members know full well, and it is probably of benefit to all the members of the House, that there is no rule to prevent a person from reading a question and reading a supplementary or reading an answer, reading from material for a response. There is no rule against that.

Hon Mrs Grier: Mr Speaker, I would like to respond to the point raised by the member for Parry Sound as a point of order. I would like to set the record straight. On 22 November, I informed the House that I would be releasing the environmental assessment—

Mr Eves: This is the Speaker's job, Ruth. You're not the Speaker. You're the Minister of the Environment.

Mr Scott: Not permissible under the rules.

Mr Sorbara: The government House leader speaks on these matters.

Mr Stockwell: You can't debate a point of order.

The Speaker: One moment; I am sorry. I realize that the tiredness is helping to create frayed nerves. I understand that. At the same time, I intend to maintain order in this chamber. I will entertain points of order and privilege to hear whether in fact they are points of order and privilege.

Hon Mrs Grier: In the ministerial statement in this House in November I indicated that I would be releasing a discussion paper on the Environmental Assessment Board.

Mr Stockwell: On a point of order, Mr Speaker: This is not a point of order.

The Speaker: Will the member for Etobicoke West take his seat, please. Our procedure in this House is to entertain one point of order at a time. I will know whether it is a point of order or not after I have heard it.

Hon Mrs Grier: I made a ministerial statement with respect to the release of the discussion paper on the environmental assessment process. The member for Oxford in his question today acknowledged the release of the paper and asked me a question concerning its contents.

The Speaker: To the Minister of the Environment, the member earlier raised the point. I said that I undertook to review it and I will report back to the House as soon as possible.

Do we have any other further points of order or can we conduct our normal business?

Mr Offer: I think we should start all over with members' statements.

The Speaker: Shall we turn the clock back and start at 1:30?

Hon Miss Martel: On a point of order, Mr Speaker: On the point of order that is on the floor, I think—

Mr Sorbara: The Speaker is going to rule on it.

Hon Miss Martel: But I also have a right to make a comment before he makes a ruling, and I intend to do that because we went through this yesterday.

The Speaker: The experienced members—

Mrs Sullivan: Petitions.

The Speaker: I may start my own petition.

The experienced members may recall that the Speaker has a duty to hear from any member of the House on the same point of order before being able to ascertain whether it is a point of order and should be considered. What I would appreciate is additional information and not a repetition of anything said to this point, and that it be kept brief so that we can get on with our work.

Hon Miss Martel: The point that I wish to raise on this point of order is the following: I have noted very carefully that every time the House leader for the official opposition raises this, it happens to be in conjunction with a question on this side that appears to have gone fairly long. I think the real problem is that they are unhappy that the question has gone long and raise it through that matter.

I carefully looked at the question and answer that went on yesterday between my colleague the Minister of Energy and the person who raised the question and could not find anywhere in there any matter that related to government policy. I suggest the same is here today and that we should just get on with the business and quit whining about long questions.

1530

The Speaker: I made the observation earlier and I also made an invitation that if the three House leaders have

a concern about how question period is progressing, I would be most delighted to meet with the three House leaders in my office at their earliest convenience to discuss the length of time of questions and answers and how question period generally is developing. I am most pleased to do that today if they wish. That is an invitation open to the three House leaders.

Mr Scott: Mr Speaker, I would like to be heard on this point of order as well. I would not ordinarily do it, but the government obviously regards it as appropriate to have more than the House leaders speak to the point of order, and if this is a new regime that is satisfactory to the government and the Speaker, I think we should all be careful to take advantage of it in the appropriate place. So I am the second speaker, after the House leader—

Mr Sorbara: Third

Mr Scott: —third, on the point of order and I intend to exercise, subject to your views, Mr Speaker, my right.

I think the point of order that was raised had nothing to do with the time expended in asking the questions or the time expended in giving the answers, though that might provide a second point of issue.

Mr Fletcher: I'm next.

Mr Scott: Yes, the member is next. That seems to be the way the new government wants to do it, except they are next, actually.

The real thrust of this point of order is that whether the question raised is in written form or not, its objectionable nature is that it is a statement of government policy presented in question period by a supporter of the government precisely to ensure that no opposition member will be in a position to comment on it. That is the danger in this process and I ask you to bear that in mind when you consider the point of order that was raised by the House leader. I want you to know, Mr Speaker, that I want to associate myself with my House leader in advancing this point and I am grateful for the opportunity to address the House in this debate.

The Speaker: To the member for St George-St David, we are not conducting a debate, but the point the member raises is central and it is something I have already given an undertaking on. I will be reporting back to the House tomorrow. I understand the seriousness of the point which is raised. I am quite prepared to—

Mr Scott: Can I respond?

Interjections.

The Speaker: No. What I stated very clearly before, which I guess bears repeating, is that a point of order was raised. If other members have new information to contribute, without repetition, to assist the Chair in reaching a deliberation on this, I am pleased to entertain it. On the other hand, all of us should be mindful of the clock. We have other business to conduct. Now, if members have anything additional that I have not heard about that is germane to this and can be succinct, I would be delighted to hear it.

Mr Harris: In the spirit of Christmas and having two-two comment on this, I will be very brief.

Mr Speaker, I thought, and perhaps I am wrong, that you were going to take under advisement whether or not the matter raised was a point of order. I would respect that. I thought the arguments that were put forward by the member for St George-St David were very cogent, if in fact it was a point of order. I would suggest that any debate now should be on whether it is a point of order or not. Once you have ruled that it is a point of order, then we can all have our cracks at whether it is a valid point. I would suggest we reserve that debate for tomorrow.

The Speaker: Stay tuned for tomorrow.

PETITION

WETLANDS

Mr Mahoney: I wish to table these petitions that are signed by 625 constituents of Mississauga West requesting financial assistance to preserve Mississauga's Creditview wetlands in their natural state.

REPORTS BY COMMITTEE

STANDING COMMITTEE ON ESTIMATES

Mr Jackson from the standing committee on estimates presented a report and moved its adoption.

The Speaker: Pursuant to standing order 59(c), the report of the committee is deemed to be received and the supplementary estimates therein are deemed to be concurred in.

STANDING COMMITTEE ON SOCIAL DEVELOPMENT

COMITÉ PERMANENT DES AFFAIRES SOCIALES

Mrs Caplan from the standing committee on social development presented the following report and moved its adoption:

M^{me} Caplan du comité permanent des affaires sociales présente le rapport suivant et propose son adoption :

Your committee begs to report the following bill as amended:

Bill 12, An Act to amend the Education Act.

Your committee begs to report the following bill without amendment:

Bill 13, An Act to amend the Ottawa-Carleton French-Language School Board Act, 1988.

Projet de loi 13, Loi portant modification de la Loi de 1988 sur le Conseil scolaire de langue française d'Ottawa-Carleton.

Motion agreed to.

La motion est adoptée.

Bill 12 and Bill 13 ordered for third reading.

Le projet de loi 13 devra passer à l'étape de troisième lecture.

INTRODUCTION OF BILLS

CITY OF SCARBOROUGH ACT, 1990

Mr Owens moved first reading of Bill Pr20, An Act respecting the City of Scarborough.

Motion agreed to.

CITY OF ETOBICOKE ACT, 1990

Mr Henderson moved first reading of Bill Pr15, An Act respecting the City of Etobicoke.

Motion agreed to.

ASSESSMENT STATUTE LAW AMENDMENT ACT, 1990

Mr Kormos, on behalf of Ms Wark-Martyn, moved first reading of Bill 36, An Act to amend certain Acts respecting Assessment.

Hon Mr Kormos: I am sending the bill down to you with page Ryan Fortner from Welland, Mr Speaker.

Motion agreed to.

Hon Mr Kormos: By way of explanation, this bill would allow the Ministry of Revenue to prepare the equalized assessments and equalization factors of municipalities and localities on a quadrennial basis. The first one would take place in 1993. However, if a municipality or locality experiences a major change in its tax base or merged area calculations are required to support county restructuring, the Ministry of Revenue shall then determine the relevant equalized assessment and equalization factor.

The Ministry of Revenue would no longer be required to carry out annual mini enumerations. Complementary amendments, of course, are going to be made to the Ontario Unconditional Grants Act and the provisions dealing with apportionment have been transferred once again, of course, from the Ontario Unconditional Grants Act to the Municipal Act.

1540

CITY OF NORTH YORK ACT, 1990

Mr Harnick moved first reading of Bill Pr16, An Act respecting the City of North York.

Motion agreed to.

BOROUGH OF EAST YORK ACT, 1990

Ms S. Ward moved first reading of Bill Pr23, An Act respecting the Borough of East York.

Motion agreed to.

CITY OF YORK ACT, 1990

Mr Rizzo moved first reading of Bill Pr51, An Act respecting the City of York.

Motion agreed to.

MOTOR BOAT OPERATORS' LICENSING ACT, 1990

Mr McLean moved first reading of Bill 37, An Act to provide for the Licensing of Motor Boat Operators.

Motion agreed to.

Mr McLean: The bill applies only with respect to motor boats propelled by engines of at least 25 horsepower. It prohibits the operation of such a motor boat by any person who does not have a motor boat operator's licence or by any person who has not completed a motor boat operation course. The bill requires every person to carry a licence while operating a motor boat to which the bill applies and to produce it when required to do so by a police officer. If unable or unwilling to produce the

licence, the motor boat operator is required to give the police officer his or her correct name and address.

The bill creates the offences of careless operation of a motor boat and impaired operation of a motor boat. A person who contravenes any of the provisions of the bill or certain regulations made under the bill is liable to a fine not to exceed \$1,000, and in some cases to have his or her motor boat operator's licence suspended or revoked.

PLANNING AMENDMENT ACT, 1990

Mr Callahan moved first reading of Bill 38, An Act to amend the Planning Act, 1983.

Motion agreed to.

Mr Callahan: The purpose of this bill is to give a discretion to municipal councils when a rezoning has been granted in the event that development does not proceed within a specified period of time, and if good reason is not given for that, they may consider revoking the rezoning.

ORDERS OF THE DAY

THIRD READINGS

The following bills were given third reading on motion:

Bill 15, An Act respecting Land on Manitoulin Island, Barrie Island and Cockburn Island;

Bill 16, An Act to amend the Municipal Elections Act and certain other Acts related to Municipal Elections.

INTERIM SUPPLY

Mr Laughren moved resolution 8:

That the Treasurer of Ontario be authorized to pay the salaries of the civil servants and other necessary payments pending the voting of supply for the period commencing 1 January 1991 and ending 30 April 1991, such payments to be charged to the proper appropriation following the voting of supply.

Hon Mr Laughren: The amount that is dealt with here is approximately \$14 billion.

Mr Conway: I would like to take a few moments this afternoon to participate in the interim supply motion. I will not be long; I hope to be no more than 20 or 30 minutes. I know that my friend opposite has memories of interim supply debates that took infinitely longer than I expect this one will take this afternoon.

As the old and returning members certainly will want to share with new members, this supply motion is always a very appropriate time for individual members to raise matters, as I said the other day, in the tradition of the old maxim of British parliamentary government: no supply without redress of grievances.

I might just start by observing something in connection with what the Treasurer indicated. I did not hear him, but was it \$14 billion? Was that the amount? The motion reads in part, to authorize "the Treasurer to pay the salaries of the civil servants and other necessary payments."

It reminded me of a discussion earlier this afternoon about the expenditures, particularly on the expense side, of certain individuals within the public service. I noticed that

the leader of the government was anxious, and I thought quite rightly so, to perhaps point a finger elsewhere.

I would just begin my remarks today by encouraging the member for Nickel Belt to do as good a job as he can and better than perhaps some of his predecessors did in constraining the enthusiasm of some people within the public service, both the elected and the professional public service, when it comes to the expenditure of public dollars.

I think back to some efforts I undertook around the cabinet table in five years. I think of a couple of spectacular failures that blot my copybook in a way that will embarrass me all the days of my life, and I would encourage the Treasurer to succeed where I failed. If he wants a few specifics, I will be happy to share those with him in the privacy of another place.

I would not want to prejudice any particular individual but, listening to some of the discussions around this place over 15 years, I am always struck by how elected officials are at least held to account for what they do and do not do; some of what we have done is not always easy to explain and some of it is downright stupid, and I have done some stupid things on occasion.

By and large, our public service in this province is an extremely good and professional one, and I would not want to be misunderstood in this respect, but I can think of cases where the spending is so spectacular and so persistent, some of it in the name of—I will not say what, because I will give away my case, but I think my friend the member for Nickel Belt knows whereof I speak. As I will vote to give him the authority to pay these accounts in the amount of \$14 billion, I encourage him to do the very best job he can do in that connection.

1550

I have just a few things to mention, some of which are old saws. Gasoline prices, I want to say again, and home heating prices are a matter of growing concern to the residents of Renfrew county, whose honour it is—whom I represent—

An hon member: Whose honour is it?

Interjections.

Mr Conway: No. I am afraid that is not what I wanted to say.

An hon member: Whom we are honoured to serve.

Mr Conway: I want to say to my friend the Treasurer that people in my part of Ontario, and I suspect people in his part of Ontario, are mad about gasoline prices and about home heating prices. At home this weekend I was hearing from more than a few people who had a visit from the oil truck, which outside of wood is really the only alternative they have. They are upset about the year-over-year inflation they are experiencing; it is double-digit. It is outrageous, in some cases, what they are paying.

I happen to live in the city of Pembroke where we have the natural gas option, and that for purposes of space heating is a very attractive one, but in rural eastern Ontario and throughout much of northern Ontario people are upset about what they believe to be unacceptably high levels of gasoline and home heating costs. Statistics Canada, I think, reported the other day that the year-over-year—November

1990 over November 1989—increased costs on that account are running at 25%.

The Treasurer need not be told about the inflationary push of that. I know he would have read in the December edition of Sudbury Business an article in which the editor makes very clear what the expectations are in the editorial rooms of that august northern journal and what the views of the constituents of the Sudbury basin are reported to be. I know we can expect that the Treasurer and his friend the Minister of Mines are going to do what they said they would do about moderating the prices of gasoline and home heating fuels, the costs of which are skyrocketing and the result of which is an intolerable inflation to people in eastern, northern and rural Ontario everywhere this winter when, God knows, there are a whole host of other pressures that make life difficult enough.

Enough said on that. I know I for one will be watching this account over the coming weeks and months, and I will say again that on this lifetime commitment of the northern New Democratic Party, I will expect some action beyond what the very nice member for Peterborough has had to say, which I am sure they will not want anyone repeating north of Barrie and which I promise not to repeat north of Barrie for at least the next two weeks.

In a related area, in my part of Ontario, Highway 17 has been slated for a substantial upgrade. The predecessor government indicated that while it would not be able to accede to the request of many in the community for four-laning between Ottawa and Pembroke, it was committed by the previous government that there would be four-laning of that major highway through eastern Ontario, running westward out of the national capital, to Arnprior by 1996-97.

There has been a concern in the community—one that was expressed to me at a meeting of municipal leaders in Arnprior just a few weeks ago—as to whether or not that commitment of the previous government would be kept. I simply wanted to convey to the Treasurer the hope and the expectation that his government will move forward with expedition and with effect over the coming weeks and months to begin to fulfil the minimum commitment of the predecessor government. There is some expectation that in fact it might even be enriched by the New Democratic Party in government.

In my part of the province, we have very limited public transit, I believe we do not have any passenger rail to speak of, there are not things like OC Transpo and there is no publicly subsidized Gray Coach. We have very few options. Our highway system is absolutely critical, both for commerce and for individual transport. The people of Renfrew county are very much hoping and expecting that the commitment to four-lane Highway 17 at least to Arnprior will be kept. I simply convey that request to my friend the Treasurer.

In talking to farmers in eastern Ontario recently, what happened in Brussels a very few days ago is very much on the minds of farmers in Renfrew county. I know the very esteemed member for Hastings-Peterborough, the Minister of Agriculture and Food, is very aware of this. But I cannot do justice to the concern of people in the dairy industry, for

example, where they see and feel the results of the uncertainty and the instability in these matters of international trade where in recent times we have seen the industrial milk quota halved in its value.

The Treasurer will know only too well that there are great issues and grave concerns which attach to the failure of the talks at Brussels. I see that the Minister of Agriculture and Food has indicated he is going to be trying to arrange a meeting of ministers at the provincial and federal levels early in the new year. I would certainly encourage the government to proceed with that.

It is strange to me that so many people in the Legislature and outside do not seem to understand the gravity of the issues at risk in the Uruguay round of talks. The impacts are potentially devastating and rather immediate. We do not have a great deal of time. Certainly on behalf of the farm community in Renfrew county, I implore the Treasurer, together with his colleague the Minister of Agriculture and Food and others in the executive council to take every step necessary to protect the interests of the province of Ontario in these matters, which I suspect are going to be well advanced by the time we reconvene here around Easter.

In another area of local and regional interest, I simply want to draw the Treasurer's attention to the growing concern in municipalities in eastern Ontario about social assistance costs. I do not intend to take a great deal of time on that this afternoon, but I do want to reiterate a point I made earlier, and that is that in my discussions with mayors and reeves and clerk-treasurers and welfare administrators across the county of Renfrew and throughout much of eastern Ontario, there is alarm, increased alarm, about the dramatic, almost exponential growth in the case load of their municipalities in social assistance and of course the consequent cost to the municipalities—that is, their 20% share in most cases, I believe, and perhaps all cases in my part of the province—of the total social assistance cost at the local level.

I was looking at an article in the Renfrew Mercury of late October and saw, for example, that in the town of Renfrew, a community which has been hard hit in recent months by layoffs and shutdowns, that the local share in 1987 was \$240,000. In 1990 that local share is expected to rise to \$330,000. That is an increase of \$90,000 in just three years. I do not know what the percentage works out to be, but it is very, very substantial.

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In another community in the county, I know that in Bromley township, which is almost entirely rural, that township spent \$9,800 in 1980 in support of its share of social assistance. According to these data, the local share in 1990 is not going to be \$9,800 but possibly around \$32,000. That is roughly a three-and-a-half-times increase. What that does to the local tax burden in a rural township, I do not need to tell honourable members, but it produces a whopping increase in terms of the local share, as my honourable friend from Moose Creek would know better than certainly most of us and probably better than myself.

A three-and-a-half-times increase in the local share of the social assistance account in a rural municipality in a

decade is a trend that I think we have to be concerned about. I do not suggest we roll back the reforms, far from it, but I think we have to understand what the provincially initiated reforms actually involve. For example, in talking to Les Parker, who is the welfare administrator for this municipality, he told me while I was in government that he felt that many in Toronto, and certainly in the senior bureaucracy of the Legislative Assembly, simply did not understand what the implications over time of the SARC implementation were going to be. We all as one voice sang Te Deums of praise to SARC, and I certainly do not intend to retreat from that now.

As I said to my friend the Treasurer the other day in the standing committee on finance and economic affairs, I would be interested to know, not now but at an appropriate time, what the best estimate of the Ontario Ministry of Treasury and Economics is of the full annualized cost of phase 1 implementation of the SARC reform. I know it is being prepared. My guess is that it will be substantially higher than a certain department suggested to the Ministry of Treasury and Economics a few years ago. There is nothing new in that. But I think we are going to have to be honest with ourselves, and more especially we are going to have to be honest with municipalities, in talking about the real cost of reforms such as this, which are universally applauded.

When the tax bills are sent out in the next little while and people start to see what the costs are going to be, I know that while everyone will expect that all politicians, local, provincial and national, are going to be animated by the higher instincts of social justice, there is going to be a real expectation that the kind of local impact that I can report from rural municipalities in Renfrew will be ameliorated to a very substantial extent by senior government because if it is not done, there is going to be a reaction at the local level that is perhaps going to set back many of the reforms in the name of social justice that I think we all want to see accomplished.

Again on a matter of health policy, I just want to make a couple of observations. On Friday, when I was driving through Pembroke to Eganville, I heard the Treasurer commenting on his meeting with the Ontario Hospital Association. I would want him to know that in the quiet of my car as the sun washed across the windshield, I smiled benignly at what the radio was purporting my friend the member for Nickel Belt as saying to the press upon the completion of his meeting with the Ontario Hospital Association.

I do not want to make too much of this except to say we have all said, and my friends on the Treasury bench perhaps more eloquently and more passionately than anyone else, that the way in which we treat nurses professionally and the way in which we pay nurses must change in this province. I agree. I will accept some criticism that perhaps we did not do as much in our time in office as we might have done; so you can imagine the anticipation that is out there with the new government—ably led in health matters, I might add, by the very senior member for Ottawa Centre—the level of expectation that is there, particularly in the nursing community, in respect of the whole status both professionally and in terms of salary.

I said the other day that we all know 35% to 40% of a typical hospital budget is made up of nursing salaries. I hope everybody heard that; 35% to 40% of the neighbourhood community hospital budget comprised or is made up of the nursing salary component. In my area of eastern Ontario, I met very recently with the officials from the Pembroke Civic Hospital and the Pembroke General Hospital. They are very anxious to do more for their nurses. They read the tea leaves. They hear the speeches. They understand what has to happen.

As it turns out, however, in this fiscal year, Pembroke Civic is expecting a deficit, I believe, in the neighbourhood of \$500,000; Pembroke General is expecting a deficit of about \$300,000, which in their case, to be fair, is largely occasioned by a rapid deterioration of the so-called Quebec revenue. They have petitioned the Minister of Health to look at that to see if some relief cannot be provided, and I know she will give that file her very serious and careful attention.

Over in Brockville, I notice that the Brockville General Hospital is reporting an in-year deficit in the order of \$750,000, and the St Vincent de Paul Hospital is looking at an in-year deficit of something near \$450,000. Of the hospitals in Cornwall, suffering as they are, the Cornwall Civic Hospital is looking at a deficit of about \$250,000, and again I believe that is in part occasioned by a decline in out-of-province revenue, the so-called Quebec revenue.

The hospital officials with whom I have met have said: "How is it that we are going to do more for that part of our budget which is over one third, namely, the nurses, if we cannot get some relief on some of these other matters that are pushing us into deficit in the here and now? We do hear the signals from Queen's Park that we are going to have to do more for nurses, and we hear the requests from the nurses that when the current contract expires, we are going to be asked for something like a 50% increase over two years."

I will not quote the Treasurer to himself, but there was some palpitation in my heart at least when I heard his initial response to the Ontario Hospital Association on Friday. It would be unfair of me to jump to any hasty conclusions, and I will not, but I will simply repeat that hospitals in my part of Ontario—I mentioned hospitals in Pembroke, Perth, Brockville, Cornwall and Renfrew, to name but five communities—are currently facing significant in-year deficits.

I know the Minister of Health is going to look carefully at this and act positively in responding to some if not all of that deficit pressure. But if we are going to do more for nurses, we are going to have to understand that hospital budgets are going to have to be supported to an even greater extent than they have been in the past because, while we can expect change in the way our health care delivery system is organized, I repeat that 35% to 40% of all hospital budgets are associated with the payment of nursing salaries.

I want to say two other things, one having to do with the appointment process. I am going to wind up with this and one other final comment about the economy. I have been interested over the last couple of months to see the

statements of ministers opposite, to read a number of articles in the press about a new day, a new order, a new government. I think that is as it should be.

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Hon Mr Laughren: It takes you back five years.

Mr Conway: It takes me back, not five years necessarily; it takes me back 15 years in some respects. I guess I have to be very honest in indicating where I come from. In this respect I am very old-fashioned. I do believe in the notion of responsible government in both senses of the word. It is the concept of responsible government that we all learn about in our civics classes, which is not the one by the way that people understand by responsible government, and then there is responsible government in the sense that people understand it, which is that you elect a bunch of politicians, they make the decisions and they are prepared to accept responsibility for those decisions.

One of the things I observed in the last few years—I must say that I have colleagues who do not share this point of view and some colleagues who might think that I perhaps am too traditional, too old-fashioned, too line fence in my perspective. I do not want to put anybody on the spot, but I see one of my friends is absent who might smile if he were here.

I guess my view on this is very simple and straightforward. I expect my friends opposite, as part of their responsibility, to select men and women representative of the contemporary Ontario community to assist them with the burdens of office. That is, I think, a cornerstone of our system. Of course if they are injudicious, if they are unwise, if they are foolish, then of course I have the opportunity to stand in my place and to criticize them directly, as I will do. Similarly, I will praise them for good appointments that I believe they might make, and I would, unlike some, praise the new government, for example, for the appointment of Bob White and Bruce Kidd to the Stadium Corp of Ontario Ltd board. I think they are excellent people.

Mr Bradley: Did that go through the committee yet?

Mr Conway: The committee is part of what I want to talk about briefly. I remember the discussions around the accord. I really do want to share briefly a little bit of experience over the past five years, because empowerment is now a very fashionable phrase and who could be opposed to empowerment? I mean, you cannot be. You have got to support it. I support empowerment. I have some friends in the academic community who have written learned essays about this.

One of the things I have observed over the last few years I want to put on the record. I have met a lot of people who really want a say in decision-making and that is as it should be, but a surprising number of people who want a say, sometimes a very big say, want no part of the responsibility for the decisions made, and I am not surprised.

In fact, it is one of the reasons why members of the executive council are paid better than private members, and that quite frankly is as it ought to be, because they have more and tougher decisions to make than I now have to make as a private member. I know something of that

responsibility and it is a wonderful and joyful opportunity, but I tell members that it is worth the money they are paid to have them make those decisions.

I guess the point that really has concerned me is that in recent times, both here and elsewhere, I have seen government construct elaborate little frameworks that in some cases have now taken away from the government, from the cabinet a decision-making power that the public out there thinks it still has. I will not again name some of the instances because it might not be polite, but I know my friend the member for St Catharines is going to opine later in this debate about what the charter has meant in terms of understandable constraint on the powers of the executive branch. I think he is and I would encourage him to do that.

But coming back to the appointments process—here I speak as a private member; I do not speak for my party, as the member for Nickel Belt can appreciate—as a private member I expect that the New Democratic Party is going to appoint men and women who represent contemporary Ontario as it sees it, and I will be expecting many more Bob Whites and Bruce Kidds.

To be partisan for a moment, I will say now that I expect the New Democratic Party in government to be as rigorous and as professional and as thorough-going a group as Ontario has ever seen in respect of this matter. I think they will make Bill Davis and David Peterson look like amateurs. I may be wrong, but I hear, for example, how they went about filling the hundreds of positions in the ministers' offices and I have to say that I was impressed, because I know that David Peterson and Bill Davis did not subject the interviewees to the rigour of the Lewis index. I have to admire that on the part of the new government. That is their right. I make no complaint of it.

The only comment I would make is that once again—the member for St Catharines and I get a little wound up on this subject because the only objection we have to our friends opposite is the breathtaking sanctimony of their self-appointed purity. They would like this House and everyone outside of the House to believe that they are more antiseptic, more non-partisan and more pure than our friends from the Tory or Liberal or Reform ranks. I just simply want to make the point that it is absolutely and patently not the case and that what I have seen to date makes my case. I expect over the course of the next four years and four months the file in support of my argument is going to fill to the point of brimming.

I repeat again that I am not going to quarrel because I view that as a central part of the system. I would expect them to be always prudent and wise. I would expect that women are going to be represented to a much greater extent than they were in an old Tory order. I am going to expect that labour is going to have a greater say than perhaps it had in the Peterson government. Of course there are going to be all kinds of changes, but I have no doubt at all about the partisan hue of the new administration.

I smile and chuckle when I see the Premier's statement about the standing committee on government agencies and how it is going to work.

Hon Mr Laughren: Don't be cynical.

Mr Conway: I am not cynical. I am not at all cynical.

Mr Bradley: Realistic.

Mr Conway: I am realistic and fairminded. Bob White and Bruce Kidd, what committee were they subjected to? None.

Hon Mr Laughren: It didn't exist then. Come on, be fair.

Mr Conway: Of course it does not exist, but spare me the rhetoric and spare me the window-dressing, because as I say, I am going to want to know where to go when certain appointments are made. Let me get to one that will really excite my friend opposite. The other day across my desk upstairs came an innocuous four-paragraph press release from the Ministry of Labour and it reads as follows:

"November 26, 1990—Minister Announces Changes at WCB:

"Labour Minister Bob Mackenzie announced today that Alan Wolfson, vice-chair and president of the Workers' Compensation Board, will step down from his post effective December 31, 1990.

"Mr Wolfson has accepted a senior position with a large financial institution. The minister and Dr Elgie, chairman of the WCB, acknowledged the outstanding work of Dr Wolfson during a period of important legislative policy and organizational change over the past four years.

"We will now begin a public recruitment process to fill the vacant position."

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Mr Fletcher: Are you looking for a job?

Mr Conway: I am certainly not looking for the job. There are more jobs in the senior public sector that I would not want than my friends opposite could ever imagine. I have the only one that I can imagine ever wanting or ever having.

I want to come back to this press release. I might add to it and let me be the first to announce it: Mr Speaker, I say to you that your former colleague, your former friend and my good friend the current Chair, I hear, is leaving very shortly. So not only is Dr Wolfson leaving, but Dr Elgie is leaving, I hear, very shortly. I think Bob Elgie has done wonderful service at the board. I know him. I worked closely with him over 12 or 13 years and I have the very highest regard for him.

Mr Bradley: I hope Elie is watching seeing an NDP member clapping at that.

Mr Conway: I am sure my friend the member for St Catharines would join me in fantasizing about how this set of appointments will be made, because I can tell members that I can think of no other set of appointments, no other place within the ambit of the provincial government where the enthusiasms of the New Democratic Party are more likely to be engaged, if not convulsed than on the subject of the Workers' Compensation Board.

So I simply say to my friend that I will be interested to see how Dr Elgie's replacement and Dr Wolfson's replacement—I will just be very interested to see—

Mr Mammoliti: Give me the list.

Mr Bradley: Do you want the list? I will get the list. I will read it into the record.

Mr Conway: Which list?

Mr Bradley: Of New Democrats appointed by this government.

Mr Conway: I will tell members this: If there is one thing about being over here as compared to being over there that I am happy about, it is that I do not have that endless, interminable lineup at my door. A lot of them were my dearest friends and I will tell members that I can say without fear of any contradiction that there has never been a non-New Democrat who had more to do with the appointment of more New Democrats to good and high office in government than yours truly. I am sorry if that sounds a bit self-congratulatory. I do not mean it to be. I am proud of what I did. I have rarely if ever met such an enthusiastic group of petitioners.

Mr Ruprecht: How about the qualifications?

Mr Conway: They were well qualified, I say. I would like to have seen what at least one of them would have done before this committee. It would have been a very fascinating encounter.

I just want to say to my friends opposite, to my friend the Treasurer that the appointments process is being held up as something special. The other day the Premier was going to have us believe that the privacy commissioner was going to be appointed by some kind of new process. He forced me away from my book long enough to say that it was not so. I do not like having to contradict the leader of any government, but as I said on that occasion I well remember how the famous and former member of the Legislative Assembly for Oshawa, a fine New Democrat now in Parliament, led this chamber in the selection of a new Clerk, a successor to Roderick Lewis, QC. That will be one of Mike Breagh's abiding legacies in this Legislature. For the Premier, the leader of the Ontario New Democratic Party, to forget that, to somehow inadvertently discount that part of the Breagh legacy was more than I could bear whatever that day was last week.

I say that the previous Legislature, under Mr Breagh's leadership, chose, selected the new Clerk, did an admirable job and what the privacy commissioner's process is going to be, according to what I read, is exactly the same. The government agencies process that is being constructed is interesting, is minimalist, and let's not kid ourselves, Carol Phillips is the person to whom you talk. If Carol is busy, you just go down to the CFTO studios and get Gerry Caplan. If Gerry is busy, you call Stephen or Michael.

Hon Ms Lankin: Sexist.

Mr Conway: Not at all. It is not sexist, I say to my friend the member for Beaches-Woodbine. I apologize if there is any suggestion. I can tell the member that there should be no confusion. I know because I talked to some people who sought some opportunities in the exempt staff category and they came away with war stories that, as I say, you cannot find the match of from the Davis or Peterson days. That is entirely the right of the new government.

That is absolutely the right of the new government. I do not dispute that at all. I just want to say for the record, let's not kid ourselves.

They make a very good effort to confuse the world out there, and that is their right as well. I can just imagine the first set of appointments. This government is not stupid. I have already got a little wager as to who some of the non-conforming appointments are going to be and as to just who the candidates are. I am going to look at appointments such as to the Workers' Compensation Board to see what I expect to see. I am going to expect to see the New Democratic Party in office at all levels, and I repeat that I will expect to see a vigour and a rigour in this matter that will make predecessor governments look very amateurish by comparison.

Finally, just a word about the economy to my friend the Treasurer: Again, I cannot convey the level of concerns that I am hearing from friends and constituents in the east and elsewhere about the deterioration of the Ontario economy. I noticed today in the financial part of the Toronto Star that Ontario bankruptcies are soaring, both personal and business bankruptcies. The year-over-year statistics on this account are absolutely alarming.

There seems to be more evidence to suggest that the recession of 1990-91 is qualitatively different than the recession of 1981-83. There is the number of people who have come to me to say: "The job is gone. I am unemployed, but the job is gone." This is not like earlier experiences I have had. They would tell me where the job was lost, but on only a temporary basis. I have had scores of people tell me that the job is gone, the business is gone, the sector is disappearing.

My friend opposite will know and remember the former member for Essex-Kent, Jim McGuigan, predecessor to our friend. I was at the McGuigan farms not too many days ago getting a very interesting lecture about what was happening to the tender fruit industry in that part of Ontario. Certainly I was struck by just how rapid the deterioration had been.

In my area, for example, where lumber is very, very important, the difference in 1990 as opposed to 1981-83, when you could still sell the most valuable product we produce in the forests of Renfrew county, which is high-quality pine, to the United States and to Europe, is that you cannot sell it today. You cannot sell it for a number of reasons, the dollar being one, the export tariff being another and a very rapid deterioration in the American and the domestic Canadian housing markets being a third reason.

It is incredible to me how serious this decline has become in our resource sectors, particularly in forestry and agriculture, but in the manufacturing sectors as well. I know that the ability of the Treasurer of the Ontario government to do things is limited. I applaud some of the initiatives that have already been initiated. I think they are good steps in the right direction, but I do not want to leave any wrong impression about the impact that the current recession is having on my constituents, all of this, I might add, before the goods and services tax lands on the economy in 14 days' time.

I do not mean to be pessimistic. I hope I am not, but I cannot be very optimistic about the first couple of quarters of 1991, where all the suggestions have me believing that the decline and the deterioration are going to continue, and are going to continue perhaps in a way that is going to really complicate the budget-making process for the two members sitting opposite, two very powerful members of the executive council whose tasks are not going to be easy, as I have said on previous occasions.

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I want to conclude my remarks simply by observing again that as we head into the winter of 1990-1991, the people I represent have one predominant concern and that is the economy, their jobs, their mortgages. I know that there are lots of other issues on the public agenda. I have said before, I repeat again, one of the things that I am observing is a growing interest in the community as to how the politicians are spending the several billions of dollars that they already have appropriated to them. I think there is a bit of a sea change there. I think people are getting very, very concerned about the expenditure of dollars and I know that all members are going to be sensitive to that. Judging from the Minister of Culture and Communications earlier today, he is very sensitive on that account.

Hon Mr Laughren: Would you explain "sea change" for those of us who don't know?

Mr Conway: Well, I will do it another time. I just simply want to conclude my remarks by wishing my friend the Treasurer the very best for the holiday season, because knowing, as I do, that he has the transfer payments to announce and defend in January, he more than any of us here will want a very restful Christmas and I wish him good luck and Godspeed in that endeavour.

Mr Jordan: I would like first to recognize the Ministry of Transportation for the allotment of \$1 million to be spent in eastern Ontario on winter roads maintenance programs. I would ask the minister to please identify Lanark-Renfrew as being distinct from eastern Ontario when it comes to the need for roads and employment programs. Perth, Smiths Falls, Carleton Place, Almonte and Renfrew all experienced several plant closings and unemployment is at the hardship level. I would urge the minister to start preliminary work on Highway 17 in January to also help the employment situation and to progress on to bring four lanes to Arnprior. The minister only yesterday confirmed to me that the program is still in place and I have notified the mayor of Arnprior, who is extremely pleased.

The Minister of Energy could bring real life and employment opportunity to the riding by implementing construction projects to upgrade the hydro dams at Shell Falls and High Falls. These projects would not only provide employment but have a very direct effect on the supply of energy to this province.

The Ministry of the Environment has at the present time virtually brought waste management and housing to a halt in Lanark-Renfrew. Lanark county has spent over \$1 million attempting to secure a land site acceptable to the

government. The funding of these projects has dried up in the riding and there is no relief in sight from this government. Would the minister please send direction to the counties of Lanark-Renfrew and also indicate the funding to back it up.

The water and sewer plants in Smiths Falls, Carleton Place and Almonte are polluting the rivers. The beaches were closed all during the summer of 1990. Smiths Falls cannot raise two thirds of \$16 million to start correcting the problem. A community of that size should receive 60% funding in order to proceed.

In closing, I sincerely ask the ministers involved to consider Lanark-Renfrew separate and distinct from the balance of eastern Ontario when distributing money for the projects noted.

Mr Bradley: It is my pleasure to once again participate in the debate in the Legislative Assembly on a matter related to the provision of funds. We have had a bill before the House to allow the government to borrow some \$5 billion for the purposes of carrying out its activities and now we have the exercise we go through of granting interim supply to the government so that it may carry out its responsibilities such as paying its bills, which are of course important.

It is significant to note that we are in fact, with this measure, granting the permission to spend some \$14 billion. Members of the Legislature may not be aware that the province of Ontario, in terms of the allocation of funds for public purposes, is very, very high on the list in North America. Subject to some correction, I would mention that we are likely the second-highest-spending jurisdiction in terms of government money in North America, that is, at a provincial or state level. In fact the federal government in the United States is first, the Canadian government second, I believe the state of California is third, and I think if you looked carefully you would see that it is the province of Ontario that is fourth.

Part of that may be attributed to the fact that they have different spending mechanisms, but as I like to emphasize to people in the province who do not recognize the amount of money that is allocated for health purposes, if you compare our budgets to American state budgets, the main difference between the two is in fact that we pay for health care services by taxpayers instead of by private plans as happens in the United States.

I think many of us view with some concern some of the discussion that has taken place in our country about moving away from that system. We recognize that it is a costly system. It consumes now fully one third of the provincial budget. I can recall, when I sat in the Management Board of Cabinet, saying to the Minister of Health that I would not mind having for the Ministry of the Environment that which was spilled on the way in to the discussions that take place in the Management Board building.

But the new Minister of Health would recognize, as she did in her previous years in the House, all of the areas of endeavour that the Ministry of Health is involved in and why that funding is necessary. There are those who will criticize the tremendous expenditure of funds in Ontario

on health care services, and of course the minister and Management Board will want to look carefully at each expenditure to see that it is in fact an effective expenditure in each case. But overall, one would recognize that if we wish to have the kind of health care service that we have in the province of Ontario today, indeed a very generous share of the provincial budget must be devoted to that.

We would not want to reach a circumstance that existed a number of years ago in this country before we had government-run health insurance, or as some would like to call it, socialized medicine. Before we had that there were many people who in fact had to expend their life's savings or go into debt for the purposes of dealing with their health problems. It has always been my view, when I hear people come forward with proposals to change the system, that it is a right to health that we have in this province. While we want to be careful in our expenditures, no person in this province should be denied health care because he is unable to pay, and no person should be forced to justify at the door of the hospital or at the door of any institution which is dealing with health care in this province, or if he is indeed receiving any service outside an institution, or to show cause of a financial nature before receiving that necessary service from the province of Ontario. I think that is an important basis upon which we live in this province and I hope there would not be parties who would want to change that.

I want to deal briefly as well with a few other matters. I hesitate to mention this as I look to my left, but I was thinking of a matter—just to show how it would be covered, not to talk about the merits of the case, but to see how something would be covered were the previous government in power—and that is logging roads in Algonquin Park, a matter of great controversy.

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I know there are members of this Legislature who have been arrested trying to block logging roads. So when I saw, as part of the \$41 million being allocated for logging roads in this province, that indeed some of those logging roads would in fact be in Algonquin Park, I thought there would be people lying down in front of the tractor or whatever it is, the bulldozer, that was coming to knock down the trees and put in that road. I was fantasizing about the fact—we have to fantasize now on this side because we cannot do the real things any more, so now we have to live in somewhat of a world of fantasy—and I was thinking of the CBC at Six and how we could have the person who is the anchor, whoever it happens to be, come on and say: "A startling new development at Queen's Park. In a stunning reversal of policy, the new NDP government, which has claimed to be so committed to the environment, has authorized funding for the building of a new logging road in one of Ontario's most beautiful natural parks—Algonquin Park."

But I turned on the 6 o'clock news and did I see this? Had a Liberal government been in power I might have seen this, and I might have heard some barracking from the other side.

Mr Bisson: On a point of order, Mr Speaker: I would like the member opposite to try to keep to the point, that we are speaking on the motion. I think it is an important motion.

The Acting Speaker (Mr Villeneuve): Please continue the debate. The debate is broad-reaching. It is on interim supply.

Mr Bradley: In fact, I could speak for about six hours on interim supply because interim supply—

Mr Bisson: Oh, no.

Mr Bradley: I am not going to do it, do not worry.

Mr Sorbara: Come on, do it.

Mr Bradley: No, no, I would not do that. I want to be relevant to the case. But I do want to say this for the explanation of members who may be new to the House, that in fact the interim supply debate is an excellent opportunity for members to talk about virtually anything, just like the throne speech debate, and the budget debate to a certain extent is that opportunity. So I will take advantage of it because the Treasurer will know—I am his critic—that I have asked only one question this session, made a couple of statements, because I know that in the first session the people out there who cover this place, or who watch this place, are only interested in what the new government is doing, and that you can do virtually no wrong in the first session. I know that it is virtually hopeless to try to generate some interest in the government's deficiencies, because no one wants to be told they were wrong in what they did by electing the NDP. So I am going to confirm to them, in the first session at least, that there are some things that they have done as a government, that have been done by the government, that in fact are beneficial to the province. Those are areas where they have implemented the Liberal agenda, which they have most of this session.

Hon Mr Laughren: It's like the accord all over again.

Mr Bradley: But listen, they should be happy over there, because despite all of our efforts to show where the credit should go, whenever they make the announcement, it seems to filter out that this was a Liberal initiative. Each time, I have noted, the ministers have been kind enough to pay tribute to the previous minister in bringing forward a particular initiative, announcing it. They have been kind enough to do that, but it never seems to make the story. So I know the first session, what it is like and what they are going to go through, because we went through it.

When I saw Focus Ontario this week and I watched the new Minister of the Environment being questioned, I thought it was a rather gentle session, just as when I first became Environment minister in this province it was a gentle session. So I do not attribute it to personalities or political persuasion or anything. That is the kindness with which people are treated in the first session, and that is as it should be, just as I have been so kind to the new Treasurer, and complimentary of him.

I have changed his name. There were those who used, I thought, a rather unfortunate name, calling him Pink Floyd, which I thought was not very appropriate, because

as I have watched his policies this session, I in fact believe that he is Blue Floyd, not Pink Floyd. In fact, after he came back from that session where he and the Premier went on bended knee to the barons of Wall Street and put their case forward to say that they are not really socialists, they are social democrats—and they tried to define what that was. Despite the fact the Treasurer says he wore his pink shirt down there, I think he had a blue tie on at the same time. But he went down there to explain that all those years when he was in the Waffle wing of the NDP were really not significant, and I know because I have been reading old Hansards. When you get into government, you almost hope that they would destroy Hansard after two years, the way they do the receipts of people who spend money, when they destroy those. They would hope this would happen, because I read some excellent speeches by the present Treasurer and other members of the government talking about the need to nationalize Inco.

If I were ever allowed, by the people who control the question period, I would have gotten up in the question period and asked the question, "When is this Treasurer going to nationalize Inco?" which is a matter of public policy for this member and the former member for Sudbury East. I think the new member for Sudbury East is somewhat more moderate, but the previous member for Sudbury East and one of the previous members back for Sudbury, had—

Hon Mr Laughren: Jim Gordon too.

Mr Bradley: Even the man of many colours, the previous member whose political colour seems to change over the years, a previous member for Sudbury, was difficult with Inco. But now, I did not notice either on the Agenda for People or in Orders and Notices any initiative to nationalize Inco, and I have to believe that the Treasurer has been sandbagged by such right-wingers as the member for Algoma, now the Minister of Natural Resources, and others in that cabinet who lean so far to the right that they look like Conservatives, let alone Liberals.

Hon Mr Laughren: How did you find out about that?

Mr Bradley: Well, I find these things out. Now, as I talked about the logging road, that was it—

Mr Scott: Get back to the logging road.

Mr Bradley: Well, I do not want to get too far into that, but I just wanted to point out that I know they were very concerned, and some of the members who are prepared to lie down in front of the tractors are going to find out that they are going to be building a lot more logging roads than they thought in the province of Ontario.

Here is another question. The Minister of Natural Resources would have been happy about this, because I wanted to ask this question too and I could not get on the question period list. I wanted to ask the Minister of Natural Resources if he is going to buy this lovely new tract of land in Manitoulin Island that is apparently for sale. One of the lumbering companies, I believe, has it for sale and I thought for sure that the Minister of Natural Resources would be in to see his colleagues and say he was going to purchase this, because I am sure that had he been sitting on

this side of the House he would justifiably have been up demanding that.

I want to get into a couple dozen other things that I think are important. One is, as the member for Renfrew North mentioned to members earlier—I have the former Attorney General in the House, who may or may not agree with me; sometimes he does not, sometimes he does.

Mr Scott: Usually I do.

Mr Bradley: That is a concern I am expressing in a general sense that everybody must have a concern about, but it is a difficult issue and that is the control of courts over the agenda of governments today. When the Charter of Rights was passed, I think there were a lot of people who were supportive of it because the charter is there to protect people from the whims and fantasies of popularly elected legislatures.

Now, Sterling Lyon presented the point of view that in fact an elected body should have pre-eminence and there are a lot of people in this province, perhaps in this country, who may agree with that. Others said—and this was the majority that prevailed; Premier Davis and others agreed to this; the other premiers agreed to this on the day—that in fact the Charter of Rights should be, I think it is called, entrenched in the Constitution, or at least a major part of our constitutional outlook, and that in fact decisions could be referred to the court with a question as to whether they fit the charter. This is very good for some people in our society, and that is the great dilemma we have as legislators.

What they are going to find out on the government side and what some of the people who are backbenchers are going to be asking the Treasurer and the Attorney General and others in the cabinet is: "Why have you made this specific decision?" A rather significant number of times, they are going to hear the answer, "Because we expect we are going to lose a case in court," or "The court has said we must do this."

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The great problem with that for the Treasurer of the province, and indeed for the government, is that it distorts the priorities. Perhaps this year or perhaps in the next decade the Treasurer and the cabinet and members of government would not want to have spent funds in a specific area that the court has stipulated. They would have preferred, because of their own elected agenda, to spend it in other areas. They are elected and they have the right to say where they are going to spend it until the next election at least, and if they are confirmed by the electorate they would have it beyond there.

What I found disappointing sitting on the governing side was watching the legislative power being reined in by the courts in this country, keeping in mind that in this country, unlike the United States, we defeat judges instead of electing them, and that has been the tradition. Now we have changed that since the former Attorney General was in power. No longer are defeated candidates the primary people who are considered for judgeships. I do not know about the federal level. So defeated candidates do not always take those positions.

I am concerned that the courts are going to dictate what that government is going to do in many cases, as they did with this government. Even worse, and this is where great debates will come in cabinet, is when members of the cabinet try to anticipate the outcome of a court case and then the cabinet makes a decision based on the probable outcome of a court case.

On many occasions, I thought the cabinet should go down with guns ablazing. Sometimes they did not and sometimes they did.

Mr Conway: Now you are getting close, Bradley.

Mr Bradley: Do I want to go back to Consumers' Gas again?

Mr Conway: No.

Mr Bradley: No, not Consumers' Gas, other than to say—

Mr Scott: You might mention logging roads again.

Mr Bradley: No, I have covered logging roads. But Consumers' Gas, just in the context of free trade, because I remember sitting in a position not far from the person who now occupies the chair as Premier of this province—who now wears the nice suits; we does not wear those corduroy jackets that the NDP used to wear with the patches on the arms, but he now wears the grey suits and the blue suits and things like that, which his handlers told him to wear during the campaign. It worked, so they have to be happy about that.

Where was I? I was on Consumers' Gas. No, I was on free trade. I heard the gentleman who is now the Premier of this province say during the campaign that he would personally put the monkey wrench in free trade, that he would undertake activities in Ontario designed to thwart the implementation of free trade.

I looked at the throne speech and said, "Well, a major initiative will be there surely," because I remember how vociferously and with what ridicule he went after the former Premier of the province for, as he said, not blocking free trade, and I have not heard how he is going to do it.

Maybe Wall Street changed his mind. Maybe when he and the member for Nickel Belt went to Wall Street they were told, "If you people start becoming too radical on the issue of free trade, there will be no investment, let alone the trickle of investment that is coming to Ontario."

That is just conjecture because the Treasurer shakes his head.

Mr Scott: Good enough for me.

Mr Bradley: Certainly the member for St George-St David seems to believe that conjecture and I think there may be some basis in truth to it. I cannot verify it, but it sounds good.

Then we get to Consumers' Gas. I remember all my good friends in the NDP, and I have lots of good friends in the NDP—I cannot think of any names right now over on that side—in my own constituency and elsewhere who said, "You just watch our government." They were talking about the NDP. "We will ensure that Consumers' Gas does not fall into foreign hands. You Liberals, we suspect you

would let it happen, but we NDPers would not allow this to happen."

What happens? I see the press conference. There is the Premier, halo slipping just a little bit, saying: "Guess what? We are going to allow Consumers' Gas to fall into foreign hands. Those of us who were the great defenders of Canadian sovereignty, who denounced foreign ownership so vociferously in opposition, on the campaign trail and elsewhere, we are going to allow it to fall into foreign hands."

I went to Jim Laxer's book then and I said, "Well, there must be," because the present Treasurer used to be a fellow traveller of Jim Laxer at one time in the Waffle division of the NDP. I went to that and it certainly clearly indicated to me that we could expect that the NDP in fact was going to block Consumers' Gas.

The opposition has sent some water to me.

Mr Scott: Don't drink it. This is a trick.

Mr Bradley: This is encouragement.

Mr Hope: It's St Clair River water.

Mr Bradley: Well, it is good water then. There is no question about it, it is good water, and I will take a pause to drink this water. By the way, I do not drink water out of bottles. I drink tap water. I always have and I will continue to do so in the province of Ontario.

An hon member: No designer water.

An hon member: No zebra mussels.

Mr Scott: I don't drink water at all, Jim. How long have you been drinking water?

Mr Mahoney: Only when the ice melts.

Mr Bradley: The Speaker would tell me that I should not allow those interjecting to disturb me while I am in my train of thought.

Anyway, Consumers' Gas is gone. It is in foreign hands now. Maybe a future government to the left of this government will buy it back. Who knows? I do not know about that, but certainly this government has sometimes lurched right, sometimes lurched left, depending on the day of the week.

However, I thought about Varity Corp because I remember how strongly the man who is now Premier of this province pronounced on this matter and said, "All this government money, provincially and federally, has gone as a bailout and no way should you allow Varity to go to the United States."

I know many of my friends who support the New Democratic Party said: "Look, Bradley, you will never see that go to the US. Maybe if you people stay in power that would happen. It won't happen under an NDP government." Lo and behold, Varity has shuffled off to Buffalo and left little for us here.

Now I heard the apology from the Premier, from some of his friends who were prepared to apologize for him at that time. That is unfortunate because I hope that those who were so vehement in their criticism of the former Conservative government, the former provincial government and the federal government at the present time, are going to be equally vehement in standing up for the prin-

ciples and be critical of this government, and not simply be apologists for this government when push comes to shove.

I know many people out there who have been critical who will not be apologists. I have that confidence. I do not think they will be there to say: "Well, because you did it, Premier Bob, it's all right. If the Liberals did it or the Conservatives it would be a nasty thing, but if you do it, Premier Bob, it's all right." I do not think that is going to happen. I think those people are going to be very critical of that and not forget it.

There is the concern about investment. I heard a lot of, perhaps, laughter today when the question came up about investment. I am a person who comes from a labour union background. I come from a family that has been involved. My father was a member of a number of different unions over the years, so I guess I have a bent that comes from that direction. I do not own shares. I do not deal in business. I am not part of the business community. I know that our family has gone through strikes, has gone through layoffs, so I know from that point of view, as I had it explained to me at home on many occasions, that there are great difficulties are confronting people in the labour union movement over the years.

I know from personal experience that have I described to members of the House previously that my own father, when he worked at a place called Smith and Travers in Sudbury, which was purchased by Inco, had a strike or at least got a contract that gave them \$2.17 an hour which was considered to be exorbitant, obviously, on the part of the company. The company decided that it would close down that operation as a result and the amount of notice the employees had was zero. So 22 years of service to one company and the thank you was a handshake, perhaps, but certainly nothing else.

So I know what happens. My father had to go from job to job as he moved to southern Ontario in the recession in the mid-1950s. He drove from St Catharines to Brantford on a nightly basis to work the 12-to-8 shift and then came back because he was the kind of person who wanted, as much as possible, if the opportunity were there, to provide for his family by working and not by accepting anything else, although from time to time obviously when there were layoffs our family had to exist on unemployment insurance. That is the background I come from. As I say, I am not a person involved in stocks and bonds and investments of that kind, but I do know that it is important to workers in this province that we have some future investment.

1700

What we are seeing now is a bit of a bleeding away of the investment that is here. It is not people leaving in great numbers yet. It is not yet people taking their investment out quickly, although as a result, I contend to a large extent, of free trade, we are seeing part of that happening. The member for Welland-Thorold is here and he has experienced some of the worst examples of that at his end of the Niagara Peninsula where he has seen, I think, actions that you could see by companies that were directly attributable to free trade. Of course, if you combine that with

a downturn in the economy, you are going to see this happening.

What is going to be important is that we have to have some future investment in this province. It is a tough balancing act because the government has a pretty aggressive agenda, an aggressive social agenda, an aggressive agenda in other areas, as the previous government had, and many times business is going to say that each new step it is taking is another nail in the coffin of investment.

That does not mean they have to stop those actions. It does not mean they have to abandon that agenda, by any means. What it does mean is that they pretty well have to, as a government—as all governments do—establish priorities and indicate to business that it is going to be attractive to invest in the province of Ontario, not by having outdated and outlandishly bad labour laws that leave employees unprotected, not by allowing environmental degradation, not by allowing those who do not benefit from the general economy to fall behind by scrimping on social services, but rather by implementing them in a staged fashion and indicating some distance into the future what its plans are, how it is going to implement them and how the province can sustain those plans. That is what we have to have, that investment in Ontario.

I sometimes wish Ontario were a fiefdom unto itself, that it was not subjected to international or American or Canadian, or beyond the American-Canadian borders, pressures and competition, but that is not the case. We are subjected to that. It used to make me angry to hear people come to me—never to any avail, I must say—and say, “Well, you know the laws in Michigan are much easier”—or in New York or somewhere else—“environmentally, so we are going to go there.” They told the person responsible in that jurisdiction the same thing about Canada. They played that game. Fortunately, with the kind of discussion and dialogue and working together of adjacent jurisdictions, we all agreed as people responsible for the environment to ignore that kind of argument, and yet you had a feeling it might happen.

The member for Welland-Thorold would relate to this. There was a company that was responsible for discharging into the Anger Avenue sewage treatment plant some substance that was very bad for the environment. It was going into the Niagara River and it was owned by Pennwalt—I cannot recall the exact company name now. The regional municipality of Niagara, along with the Ministry of the Environment, was able to detect it as the source and they said, “Well, of course, we’ll have to close down.”

It was a difficult decision because it always sounds good. People say, “I’m willing to sacrifice jobs for the environment.” What they often mean is that they are prepared to sacrifice somebody else’s job for the environment, not their own, so it is always a tough decision and the new Minister of the Environment will have a tough time. I will be sympathetic and empathetic with her as she makes these decisions because I know what she is going to go through when people do that. Largely, you have to ignore those people who say that. In this case, they did close down that division.

My concern, which will be shared by the member for Welland-Thorold, the member for Niagara Falls and the member for St Catharines-Brock, who all have an interest in the Niagara River along there, is that the same company would set up in Buffalo or Tonawanda or somewhere and discharge exactly the same thing into the Niagara River.

We made a decision in this decision in this province. We said we are going to have a control-order public meeting and they said, “We’re not interested in a public meeting and control order,” and they shuffled off somewhere else. I hope, as I say, that the new jurisdiction will be as tough as we were on them. Those are difficult decisions for people to make.

In terms of national unity, we have a resolution before the House today. I must say that compared to coming into this House 13 years ago, the degree of optimism that permeates the Legislature must be far less than it was then. There was a lot of enthusiasm. There were a lot of good debates in here. We have had some good debaters over the years from all parties who were able to speak with some passion about national unity and about Canada.

Today it is so difficult because we see what we are confronting. In this province, to their credit, most of the candidates elected to this Legislature rejected the voices of extremism that we all hear. We have heard those voices of extremism.

It caused, I suspect, one member of the Legislature who had a distinguished career in this Legislature, a person whom I happened to admire for many of the stands he took—I was not always in agreement with him, but I thought he was a good member of the Legislature—the member for Sault Ste Marie, Karl Morin-Strom, to step down, to not run again as a candidate. I thought that was rather tragic. Whether he were to win or lose, it was rather tragic, but I think he felt so strongly about it and perhaps was so discouraged by the reaction to the stance he had taken, by the way a very difficult stance to take under the circumstances, that he stepped down.

One of my fears about the committee that is going to go around the province of Ontario is that the very people who show up at those committee hearings will be the voices of extremism, those who are ready to denounce, those who hate somebody else, those who are ready to point out some little deficiency somewhere else and elaborate rather substantially upon it and exaggerate it, and that in the coverage that will be on television, members can bet the excerpt which is most extreme will be that which will be picked up by some segments of the Quebec news media and spread across the province of Quebec, as the famous flag incident was in Brockville.

That is most difficult, because any one of us in here knows that it is very popular, at least in the short run. It is very popular with a significant portion of the populace to make some pretty extreme statements ourselves and we have to restrain ourselves from that. There are people who will say that we do not represent them, that we refuse to listen to them. We have to understand those points of view and why that frustration is there, but I hope that we as a province never degenerate into accepting the extreme point of view on either side.

The Premier says he hopes this can be dealt with with some degree of non-partisanship. I must say my experience in this Legislature has been that on those issues of national unity, while there have been intrusions of partisanship into them from time to time, have largely been non-partisan. Some of the best speeches we have heard over the years in this Legislature were made, I remember, during the debate in Quebec over the referendum in Quebec. We had a special session of the Legislature and some just outstanding speeches by people from the three political parties were made on that occasion.

I hope that is the approach we will take this time. I hope that the people of the province of Quebec will accept, for instance, that we are concerned about their concerns and that for the people who have other grievances that the Premier enunciated today, a list of people who had concerns, we can meet their concerns, that people can feel part of the debate themselves and not excluded from that debate.

I must say that the feeling of optimism and buoyancy I might have had 13 or 10 or eight years ago is difficult to sustain under the present circumstances with the voices of negativism and extremism in many parts of the country seeming to come to the fore and showing themselves in some rather significant popular support.

I will deal with the environmental assessment process, the EA process, for a moment. There is one thing that annoyed the private sector in this province and my cabinet colleagues when I was in cabinet.

Mr Scott: Some of them.

Mr Bradley: Some of them. It is the environmental assessment process. The member for Etobicoke-Lakeshore will find that though she has some significant support in principle for many of the initiatives she wishes to undertake, in fact when they get in the way of other ministries, that kind of support may just abate a slight bit. I wish her well as she continues on in the consultation process on how to come up with an environmental assessment process which is going to be faster than the one we have had but will still every bit as effective. That is a very hard thing to do, to make it both faster and as effective.

1710

One of the other concerns I have about it now that I am not the minister is the dominance of these quasi-judicial bodies by lawyers. I do not say that to put down lawyers. We have some excellent lawyers in the province of Ontario who are expert in a number of areas. But one of the real concerns I have is that no longer can the average citizen go to a hearing and put forward a point of view.

All it is today, it seems to me, is—well, you always say expensive lawyers because you want to get the best; people feel they must have the very best lawyers, who often come with a significant pricetag commensurate with their experience and their success and so on. You have one set of lawyers and consultants arguing with another set of lawyers and consultants, and ultimately the taxpayer is paying for all of that. I do not know how we get away from that, because we have made these bodies such that they are subject more and more to legal intrusion as op-

posed to people putting forth—I hate the word—common-sense arguments, because it is a connotation of a non-expert argument, so called, but putting forth arguments that lay people can put forward without bringing in the most expensive expert from Australia or the most expensive lawyer from downtown Toronto, those whom we always think of as the top lawyers.

I hope when she works on that process—and I wish her well in it—and she gets the advice, in fact we can make it less of a legal and so-called expert process and more of a process in which individual people can participate. That is going to be a real challenge.

I am going to get a little bit critical here now. I know members do not like that, but let me just say I was writing down some points and I did not put them in any order so that I could say, “I will start off being nasty and end up being nice.” So the nasty and nice things are just interspersed.

I was somewhat perturbed by the fact that the Premier did not decide to call the Legislature back into session at an earlier point in time. I know he had a new government, and politically the best thing to do for a new government is to give it a chance to learn what it is supposed to do. That has some logic to it. But here we are in the dying days of a Legislature with a rush of legislation—

Mr Mahoney: Not necessarily.

Mr Bradley: Not necessarily, no.

Mr Mahoney: We could be here for a long time.

Mr Bradley: I see. We could. Well, with a rush of legislation at the very least, and everybody saying: “This is the deadline for this. We must have this. We must have that.” In fact, had the Legislature been convened at an earlier point we might have been able to deal with some of those. Again, this government did not get much criticism for it because it is a new government, and I like being fair to people. I know what it was like when I first had to learn about a ministry and about the workings of government. I know there are long nights. I know that the member for Algoma, now the Minister of Natural Resources and with other responsibilities, whose hair is brown today will, in fact, be grey about four and a half years from now and that the lines under his eyes will be much more pronounced and visible than they are today. I will certainly be sympathetic, but I will know that he is making much more money than I am and, as the member for Renfrew North said, justifiably so for all of that responsibility.

I want to talk a bit about transportation. The minister is not here today, but I was happy to see him come to St Catharines and I commended him, as I did the government, on following through on an initiative of the previous government to have the Pelee Island ferry built at Port Weller Dry Docks in St Catharines. I said that to the minister, and I said that publicly.

A government does not have to—I emphasize, a government does not have to—follow through on the initiatives begun by a previous government, and a government is justified in taking a pause to look at those initiatives. You get criticism; the member for St Catharines-Brock knows what it is like to get criticism,

because she wanted to see her government look at a particular decision affecting our community. The government has every right to do that. The government wants to ensure that it is right and that the decision is going to be right because it has a new agenda over there.

Port Weller Dry Docks, which is down to some 30 employees, is a major shipbuilding operation in Ontario. Federal and provincial money went into it to support it previously. There was a consolidation of shipping in the province of Ontario. We have never been able to get our share of federal contracts, I must tell you, which seem to be assigned for various reasons, but I will not get into that right now. We have never been able to get our share of those.

I was pleased to see that the most logical place was the place where the Pelee Island ferry is being built at a cost of some \$23 million to \$26 million and to be negotiated further in terms of the specifications. That makes a good deal of sense. I know that our cabinet had approved those discussions to take place with the Port Weller Dry Docks people, with Canadian Shipbuilding and Engineering, and that in fact it was followed through by this government. I am very pleased to see that this government has followed through on this Liberal initiative.

Another one that I was pleased with, and the Minister of Government Services is here today, is that the Minister of Government Services has indicated that the ministry, after appropriate analysis by her government, has indicated that the Ministry of Transportation will be moving to the city of St Catharines. I am so pleased to see that happening. I know it is supported by so many people.

Today I received a copy of a letter from the Preservation of Agricultural Land Society that said it supported this particular initiative that was begun by the Honourable Chris Ward and completed by the Honourable Frances Lankin. It is going to be a real boost to St Catharines. I thought the policy of decentralization was a good one because I felt that a number of communities in the province of Ontario should benefit from the location of government agencies and ministries within their boundaries.

That is one benefit, quite obviously. Those are what we call recession-proof jobs. In other words, it is not very often that governments are subjected to the ups and downs of an economy in terms of the employment opportunities within government. They are pretty stable jobs.

That will be helpful to us. I think it will be a boost to our downtown area in St Catharines. There is not a downtown in all of Ontario that does not need a boost of some kind and this is going to be very helpful to the small businesses that are there, and it will be good overall for our community. From time to time our mayor refers to St Catharines as the transportation capital of Ontario. He calls it the recycling capital of the universe as well. He does say this and I am quite delighted that he is going to be able to say this with a good deal of veracity. That will be good.

The third reason I thought was it good was that it allows smaller community thinking to permeate government. If everybody is in Toronto, we know what happens. One self-criticism I have of legislators is that we tend, like butterflies, I guess it is, to spin a cocoon around ourselves.

We talk to one another in this House, we talk to the civil service, we talk to our political advisers. Somehow—and we try as individual legislators—we should be talking more to people in the areas outside of the major urban capital. Movement of these ministries and agencies to various areas will allow that kind of thinking to permeate the public service. I think people in the public service would tell you it is very helpful to have a good cross-section of the province of Ontario with that kind of input.

I should deal with the automotive industry. There is one industry which is key to the community that I represent, to Oshawa, to Windsor, to Oakville and, to a certain extent, to other communities like St Thomas and areas where new plants have been located. We are very, very concerned about the future of the automotive industry and we want to ensure that the investment continues in the province of Ontario. They are good jobs in that they are jobs that pay well because of the efforts of the Canadian Auto Workers Union and its predecessor, the United Auto Workers Union, which have won some significant contracts over the years. The working conditions are far better as a result of those initiatives on the part of the union and the leadership of the union, and the wages and the benefits are far better than they would be without those particular efforts—and sometimes at the price of a strike, and some rather lengthy strikes.

1720

We have some good jobs in our communities and those people spend money in our communities and we are proud of the people in the automotive industry, as I can speak of St Catharines, who have won a lot of contracts. They do not just automatically come any more. The companies have to bid from time to time against other plants and so on. We have a good, skilled workforce in our community and those who are determined to make the automotive industry successful. I hope we will continue to support it as a province and as a country through international trade agreements that are going to be protective of the automotive industry rather than leaving it to the wolves, and that we are going to be vigilant—I guess more on a federal level, but we have to be on the provincial level as well—of the sourcing of automotive parts in places in the world where the working conditions, the wages and the benefits are not as great as they are in the province of Ontario. If we have to take specific initiatives to boost the automotive industry when there is a real downturn in the economy, then I think we are justified in doing so.

By the way, as an environmental note, if everybody in the province bought a new car we would in fact have made a major contribution to the air quality of this province. I happen to have a car that is about eight years old so it has its catalytic converter on it, but it is an old car. Unlike the member for Algoma, who probably has a brand-new car, I cannot afford a new car, but I am going to try. Here is a radical proposal. Do members remember when the member for Hamilton Mountain made that radical proposal about fridges? I mentioned this before. People laughed at it and said, "Oh, this is crazy," and so on, but I was one who did not. It may have resulted in his not being in another place, but I thought the concept was a reasonable concept.

You have to figure out what you are going to do with your old fridges, yes; you have to figure out what you are doing with the CFCs, yes; but the idea of newer equipment, much more energy-efficient equipment, much more environmentally sensitive and desirable equipment being placed in these automobiles or in these machines is certainly beneficial to the environment in this province.

I should look at a few other things. The Minister of Health is here and she would not want me to not mention, on a somewhat parochial basis, some of the needs in the Niagara region. She was kind enough to write me a reply to my letter—I must say, a quick reply, because I know how long it takes to turn those letters over—saying that she was giving consideration to approval for a new CAT scanner in the Niagara region. We have one at the St Catharines General Hospital for non-emergency cases. The lineup is probably six months unless you are prepared to go to Hamilton or somewhere else, if you can get in on it. We could certainly use a second CAT scanner in one of the hospitals somewhere in the Niagara region. Each one of the hospitals in my community—St Catharines General Hospital, Hotel Dieu Hospital, Shaver Hospital, Niagara Peninsula Rehabilitation Centre and the Niagara Peninsula Crippled Children's Centre—could certainly use the committed funding for capital purposes and operating purposes that are required.

But the minister would be attempting to do what probably a lot of governments will attempt to do over the next few years, and that is to find the wisest possible way to spend health dollars in the province. It is never easy spending money on preventive activities in the health care field because the pressure comes on acute activities. I wish the minister well in those efforts to take the kind of preventive action which is going to improve the health care system in this province.

Some of my colleagues may wish to join in this debate—I am not at all certain that is the case—but I did want to go into the appointments process, because my colleague the member for Renfrew North mentioned this. One thing I always hated in opposition years ago was watching the patronage that took place. Through evolution, through public revulsion, and because a new government got elected, the last government started to make some changes in that system and the new Premier has indicated he wishes to see some changes in the system.

I remember some excellent people being appointed by the previous government. They would get applause from the other side, if they were applauding on a day like this.

When George Samis, the former member for Cornwall, was appointed to the Ontario Highway Transport Board by this government, who would object to that? He was a capable, likeable and knowledgeable individual.

When Odoardo Di Santo was appointed to the Workers' Compensation Board he was again a person who was well-respected in this House, capable of doing the job, and certainly the Liberal cabinet supported his appointment.

Elie Martel, who was appointed to the Environmental Assessment Board, long served in opposition—he never had the opportunity to serve in government—but certainly

was a person who was knowledgeable in virtually every field because of his long experience here.

When Ross McClellan was appointed in the field of social services, few could object to that, because of his long experience and his dedication in that field.

When Donald MacDonald, a former leader of the New Democratic Party, was appointed by this government to the Commission on Election Contributions and Expenses that was very well received, just as when Bob Elgie and Frank Drea and Frank Miller and Mickey Hennessy and Morley Kells and the Reverend William Davis, all of whom formerly served in this House as Conservatives, were appointed, many people applauded those appointments.

So it was very much to a large extent depoliticized, although not completely. And this government has the right, quite frankly, to make appointments as it sees fit. The Premier has indicated—as Premier Peterson said—he wants to have the brightest and the best people in those jobs. Many of them are going to be New Democrats. They will want people who are not going to thwart their efforts. On the other hand, they will not want them there simply because they are New Democrats. I look forward as a member of the agencies, boards and commissions committee to be participating in that process.

Mr Mammoliti: Do you want another glass of water?

Mr Bradley: I will try this glass of water.

I want to look at a couple of other items. The member for Algoma was here a moment ago, but he has gone now. Some of the tough decisions that the government is going to be making in the next few years are going to be subjected to Hansard—and Hansard has an awful way of reminding people of past stands.

When Karl Morin-Strom, the former member for Sault Ste Marie, put forward his resolution that no garbage could go to northern Ontario and there was a round of applause over here, and when the member who is now Minister of Natural Resources made a nice speech about how Toronto's garbage should not go north, do members think everybody anticipated that since the New Democrats had put forward that resolution and voted for it, in fact there would be no entertaining of any ideas of Toronto's garbage going north?

But of course reality sets in, and what people are discovering is that rather than being virginal, the New Democratic Party is in fact the same as other parties: when it gets in power it has some tough choices to make, and it can be judged on those choices. There is no halo over the New Democratic Party despite the sanctimony that used to be heard in this House from time to time from many of my friends—not the new people here, who never said that, but some of my friends who sat on this side at one time. People are discovering that now—and I am not being critical of the government on that basis; I am simply saying it is similar to other governments in this regard.

I would like to talk about consumer protection, but I would rather do so when the Minister of Consumer and Commercial Relations is here. I think he has an exciting portfolio. He will have some difficult times with insurance, because he will recognize that trying to balance cost and

services is difficult. I wanted to talk about some other areas but probably next session will be a good time to talk about those. I think the minister will be aggressive in that area and I will encourage him to be so.

1730

Another area that I have always been concerned about, and I hope they will proceed in this direction—I know they will—is that of assistance for the disabled. Some of the people who have often been forgotten, at least in recent years, by legislators are not being forgotten. The shunting away of mentally disabled people in the past was a true tragedy, but even today ex-psychiatric patients, in one category, and those who are mentally disabled, in another category—they used to refer to the association as the Association for the Mentally Retarded, now called appropriately the Association for Community Living, because of the new idea of bringing people into the community and having them share experiences that others have. I always felt that these were people were deserving of government funding. No government could be criticized, even by the most right-wing of people, for providing sufficient assistance and funding to those who are genuinely in need.

I hope that considerable money will be spent by this province on environmental initiatives. I know that the previous Treasurer of this province was kind enough to increase the budget by well over 100% in a five-year period of time, and I know that the new Minister of the Environment will look for even more resources to be able to carry out her responsibilities. I hope the Treasurer will open the vault as far as the environment is concerned, but again I know they will be balancing that against their social agenda and their other initiatives.

Saving of agricultural land is another area of interest to me. One of the reasons I got into politics on city council was to prevent the municipal government from expanding its boundaries into the best farm land, fruit land at least, in the province of Ontario. In the north end of St Catharines where I live there exists some of the best prime agricultural land because of two factors: first, the soil conditions are right; second, and every bit as significant, the climatic conditions are very unique. There are fully, on an average, 27 more growing days on the bottom of the escarpment in St Catharines than on the top of the escarpment, and we should not give up that resource easily. It will require assisting the farmer, as the new Minister of Agriculture and Food will recognize and want to do, and it will require some strong will on the part of the new government not to acquiesce to the development pressures that people are placing on it.

I am pleased to see that the Minister of Municipal Affairs has brought forward the legislation proposed by John Sweeney and announced by John Sweeney to end this last will and testament provision for getting around the planning bylaws in the Niagara region and other parts of the province. We should preserve that land, without a doubt. They are not making land any more, the last I heard, and it is good land that will serve us well into the next century us, as it should. I know from the announcements and pronouncements of members of this government and

others in this Legislature that they will want to save it. They will not want to allow what happened in Grey county, where we had severances issued willy-nilly by people in that area who had responsibility for that and who exercised that responsibility to give those severances—some of the classic, bad planning decisions.

I remember watching as the planner in the area made one recommendation that was totally rejected. The planner was either fired, I believe, or quit or something, and another planner came in and made similar recommendations and had to leave. Some very interesting severances were granted in that area by people in that area. I hope that some day the government of Ontario carries out a thorough investigation of why those severances were granted, how they were granted and what the consequences of the granting of those severances were, because I think there would be some rather interesting revelations that would come forward and we want to root out anything that may not be totally appropriate.

I have to say of my own newspaper in the province of Ontario, the St Catharines Standard, that I am pleased it is one of the last independents in the province of Ontario—not pleased that it is one of the last; I hope there will be a lot of others. This is not to say that some of the chains do not provide a service, but it is nice in a community to know that you have an independent newspaper. The Kingston Whig-Standard lost its status in that regard. I was somewhat saddened by that. I remember when the Kitchener-Waterloo Record had that. I think the London Free Press is still independent and the Stratford Beacon-Herald. What other ones?

Mr Mills: The Orono Weekly Times.

Mr Bradley: Yes. There are a few of them still independent and it is nice to see because they are community oriented, as they should be.

Another one or two sentences on another problem, rest homes: For years we have seen municipalities and the provincial government and various ministries pass the responsibility for rest homes back and forth. Somehow we have to protect the people in those rest homes—many of them are run very well and the people are satisfied—from those which are not appropriately run.

In the St Catharines Standard there were people such as Carol Alaimo who wrote articles on this. It is interesting the role individuals can play. John Nihol and Carol Alaimo played a very significant role in the last will and testament issue where they exposed that this was happening under the planning process as it relates to agricultural land, and Carol Alaimo did the one on rest homes in the Niagara region.

We have already talked about the GST. I think it will have dire consequences for this province, but I will not go on at great length because I am not one who believes in using the Ontario Legislature to fight federal issues at any great length, except when they impact entirely on this province. Needless to say, the goods and services tax will be very detrimental to this province, raising inflation and causing us to be less competitive, in my view.

I should wrap up to allow some of my colleagues an opportunity to speak in this particular debate. Some of my colleagues would like to see me do that, but I will promise that on further occasions in the next session, when the occasion arises, I will try to share with members some views on some other issues. I will make certain that they are relevant, as I always try to be.

I wish each member well in his new responsibilities and take this opportunity at what could be, though I cannot promise this, my last speech of 1990 to wish all members the very best of the season.

The Deputy Speaker: Questions and comments?

Mr Drainville: I am glad to get up and speak to the resolution that has been put forward by the honourable Treasurer of Ontario and just basically to speak about a philosophy of government.

Mr Scott: Comments.

Hon Mr Wildman: Questions and comments.

The Deputy Speaker: Sorry, it is my mistake. If you want to speak in the debate, you are welcome to do it. The member for Victoria-Haliburton, do you want to debate?

Hon Mr Wildman: Questions and comments.

Mr Bisson: Questions and comments.

The Deputy Speaker: I am sorry, there are no questions and comments. It is debate.

Mr Scott: We had questions or comments to raise about this extraordinary speech.

The Deputy Speaker: Does the member for Victoria-Haliburton have any questions or comments, or do you want to debate?

Mr Drainville: Yes, I was joining the debate.

The Deputy Speaker: So, the minister.

Hon Mr Wildman: I just wanted to express a brief comment on one of the portions of my friend's speech, the tribute he paid to my former colleague from Sault Ste Marie, and to say how much I appreciated his remarks. I think all of us in this House understand the kind of pressure that Karl Morin-Strom was going through for an on-going period of time in the last part of the last session of the last Parliament. All of us, I think, on all sides of the House admired his tenacity and the conviction with which he expressed his views on behalf of national unity and on behalf of tolerance between the major language groups in this country and in this province.

I appreciate the comments made by my friend. I hope to be seeing Karl this weekend and I will pass along his remarks to him.

1740

Mr Dadamo: I was in the lobby when I heard some information that the member for St Catharines was talking about the vessel that we are going to be having built at Port Weller in St Catharines. We are very proud, as I am sure he is, and I understand that the honourable members had a chance to tour the plant, I think on Monday, with our Minister of Transportation. But I would really hope that he would convince the member for Essex South, who sits two or three over from him, of that. They were pushing to have

it built in Massachusetts, and we are very proud as a government to have at least 260 jobs created in Port Weller for the duration of about 18 months when, as members know and everybody knows, we are in a recession in Ontario.

We are very fortunate to have come under a bid of about \$26 million to build this vessel and we are very happy that we are putting people to work in Ontario during a recessionary time. So I thank the honourable member for bringing that up in the House this afternoon.

Mr McLean: I just want to make a few brief comments with regard to the last speech that was made in this Legislature, by the honourable member for St Catharines. It leaves me with some reservations with regard to some of the comments he made within that speech with regard to the budgetary policies of this government. We are dealing with the authorization of some \$5 million.

I remember the time when I had the opportunity to speak with regard to some of the budgetary policies of the previous administration, with some 33 tax increases over a period of so many years. I also noticed that he made the odd comment with regard to some of the policies of this government proposed in the Agenda for People, some of those policies which indicated the 10.5% interest that they were going to allow industry, farmers and small business to be able to have a deduction.

I have never seen any of those policies in this new Agenda for People coming through. There are other things in that Agenda for People that I have some concerns about and I am wondering if they are going to be fulfilled, as the member has indicated he felt there would be a lapse.

I want to say that the budgetary supplementary estimates that were tabled here yesterday certainly give us some concern with regard to the increase in spending that has taken place in this province and with the large increase, some \$9 million, of supplementary estimates. So when we look at the list of ministries that are looking for extra funds, there has got to be a handle somewhere with regard to government spending, and I hope this government will take heed. But I compliment the member for his statement and some of the content of his speech.

Mr Scott: I would just like to compliment the honourable member. I have never heard him make a speech on a subject in the Legislature as fluid as this one that he made today, but it was wonderful.

I would just like to say to the few ministers who are here that I think they got some very good advice from the honourable member that I frankly wish I had got in 1985. I want to indicate that I share one point that he made to the new ministers, and that is that we have to be very careful in government, and this government will have to be careful, about the impact of the Charter of Rights and Freedoms.

The charter is a wonderful instrument and there can be nobody who says he is opposed to the individual rights or the odd group right that is established by the charter. But what the government will find—I think it was the experience of our government that the honourable member was trying to show—is that increasingly, with limited

budgets, the charter constrains government choices and it does not always constrain those in a way that we would find satisfactory or appropriate in the public interest. That is not necessarily the judge's fault. It is sometimes a little easy to blame it on the lawyers. It is a function of the charter itself.

The second thing they will find—I found—is that the charter and the judges who interpret it are predisposed to individual rights as opposed to collective rights. What is the difference? An individual right is the right to be heard in a court if you are charged with impaired driving—very important. The collective right is to take steps as a government to prevent carnage on the highway. The two issues they will face, as we faced—and we are pro-government, because we were sitting where they are, confronting the same kinds of problems under the same kinds of pressures only a few years ago, or it seems a few years now; it is actually only three months. I think they will find that the impact of a charter is something to be watched very, very carefully and that they will have to take steps to make certain they accommodate to the charter or it will inhibit the legitimate and important plans they have as a new government.

Mr Bradley: In response and in alignment with what the former Attorney General had to say, I have always wondered what the rights of individual members are to be critical of the courts or a court decision. I always had to be careful that I was not in contempt of court and would not have to spend time behind bars for that reason.

I must say that I was extremely disappointed with the decision of the Supreme Court—the member had made reference to various decisions of the Supreme Court—to say that the rights of people were narrowed or limited to such an extent that it was interpreted by others that court cases should be thrown out. I recognize that there is a need for that justice and that there is a recognition that there is a need for court reform that the previous Attorney General was attempting and the present Attorney General is attempting to proceed with, and has announced some new initiatives.

I must say that I hate watching people who have been charged not going to court to have their cases dealt with. We cannot make a judgement in our society. Indeed, people are presumed to be innocent until proven guilty under our system. But it does concern me very much that we are having all of these charges thrown out, some of them of a very serious nature, because the Supreme Court has said that the rights of people have been limited or have been adversely impacted by the fact that they have been unable to have court cases dealt with as expeditiously as the Supreme Court deemed appropriate.

Again, the collective rights here of society are stacked up against the individual rights. In this particular case, I would have hoped that we would have been able to make a genuine effort at this time to deal with all of those cases, as opposed to having them thrown out, because justice will not have been done as a result of that action.

Mr Stockwell: I have learned one thing clearly. When you read the orders of the day and you deal with the

government's notices of motion, what that has to do with the speaking is purely coincidental. So in that vein, I think I will continue on in this fine tradition and talk about some of the issues that I find somewhat interesting.

In the last few weeks we have been discussing some of the ideas and concerns that we have found the government lacking in. What I want to deal with today are maybe some of the things that I see taking place over the next year or two years. Since I began as an elected official in the city of Etobicoke, I have sat on many different councils over the eight years—Etobicoke and different members. In fact, one of the members on the government side, the Minister of the Environment, was a member of council in Etobicoke when I sat there.

I often remember that member of the NDP and the NDP in general having a very strong commitment to the word "process." They always fell back on process. Whether it dealt with development applications, whether it dealt with hiring, whether it dealt with anything, process seemed to be an approach that they used and used very well. There is no question about it. The difficulty I guess I am faced with—I think they had respect. They had respect from the community. They had respect from the other members of council and they had respect for putting together processes that often they used to further advance their line of thinking. I can list a number of development applications over the years where the process bogged down even more so than the voting records of those councils broke down.

As I get up to the provincial government and find myself sitting across the floor from the first elected socialist government, process has seemed to take a back seat. It does not seem to be as important and it does not seem to be as much at the forefront as it once was. Particularly since they are making the decisions, obviously process can be sometimes something that gets in their way.

1750

I think back on a few of the issues that we have dealt with. I think particularly of the landfill site debate. In the landfill site debate, although the process was put in place by the then Minister of the Environment, the gentleman who just spoke, the process was not deemed to be good enough. Regardless of whether or not they agreed with it or did not agree with it, the process was always in place and it should in fact have been followed. What we see today with this particular government is, if the process did not come to its particular ends, damn the process. "I don't care about the process. We don't care what the process says. It's now ideology, it's our thoughts that are important, and the process is no longer important." I find this to be a complete move away from where the NDP was basically founded, from the positions the members opposite fought for. I guess it is because they have in fact got power.

If anyone would have suggested that the process could be usurped to such a degree that they would in fact invoke emergency powers, I do not think anyone in this province would have believed him, yet a few short weeks ago, to an astonished province, to astonished neighbourhoods in Vaughan, Pickering and Whitevale, that in fact is just the

thing that happened. The process became something that bothered them, it was a hindrance. No longer were they building this important foundation that they had structured, I think, a great deal of their party thoughts on, simply because it did not serve their purpose.

It was not just that; it was when the Minister of Transportation got up—he was referred to as Mr Flip or Mr Flop—and he suggested that the process did not in fact enter into his decision-making. The process had spent hundreds of millions of dollars. The process had taken great lengths of time. People who had believed in the process, had invested in the process and had worked within the process suddenly became disenchanted because a minister decided he was going to make a gut decision, the same minister, I am certain, who has argued about process in the past. If this is not a change from NDP philosophy, a very dramatic change, I do not know what is.

I talk about rent controls. This is something that is probably the most damaging of all movements with respect to the process. This is the decision that in fact will financially ruin, I am certain, hundreds if not thousands of people in this province. There are people out there—and I know they are suggesting that there are some landlords out there who are in fact gouging the tenants. I do not think for a minute anyone would argue with that; there are some landlords out there gouging tenants. But in the government's zeal for getting at these people, in its haste to write a piece of legislation to clamp down on these kinds of unfair rent hikes, it has damaged everyone, not just big landlords. It has damaged everyone who owns anything, any building.

There are honest people out there who went through the process, who honestly thought the government had criteria set down and who got approvals for improvements. They honestly felt, through the process which was approved by the government of the day, they would recover those costs. These poor people today are out of pocket thousands and thousands of dollars. Yes, the government may have captured some of the big people, it may have captured some of those gougers—I will use the term as well, “gougers”—but it ignored the very process that it has stood on for as long as I can remember and it made a piece of legislation retroactive, and it crushed all kinds of people who would be considered middle class, with no great wealth, just a group of people who may own triplexes or 40-unit buildings and they had their lives invested in those buildings. The government has crushed them.

Do members know what I cannot understand? It does not even seem to bother them. They show no remorse. There is no concern. In the past, there would have been a wailing wall outside Queen's Park if this was done by any other government. The NDP would have organized thousands of people to come before the government and complain and wail about how unfair they are. Yet when the process is in place and people follow the law, they crush them and sit here without any process for these people to recapture their losses and probably the gains that they have accrued over their whole life.

There is another point—and that is why I always respected the NDP for one thing. I always respected them

for the fact that they believed in the process. I guess what happens here today and what the people across this province are discovering is that the process was only there because it helped them accomplish their goals. They never had any stake in the process. They never had any stake in ensuring these things would take place. They never had any stake in the environmental assessment. They never had any stake, because today, if they had that stake, they would be following the process. But it hinders their decision-making. They are just a bunch of politicians and that is what it comes down to. I think that is what the people of Ontario are discovering. That was the first point.

I think what will be interesting is exactly how in tune they are to process in the future, because in my opinion they have sold out. They used to be able to stand certainly on a soapbox and offer speeches that could never be threatened or questioned, because they never had to make those decisions in government. One of the speeches—I think I could hear it 10 times if I have heard it 5,000 from every NDP member ever to sit on council, in any council in Metropolitan Toronto—was process. As far as I am concerned, the process does not exist any more because they do not want it to exist. It is a shame.

We will also have long and hard discussions on the Agenda for People. I know we have talked about an endless list of promises, and an endless list of promises that I do not think the government can fund, and that I do not think the Treasurer thinks he can fund. I think in fact yesterday or the day before he was quoted in the newspaper as suggesting yes, some of these promises are too expensive and yes, we will not be able to afford them.

I guess the message they are delivering to the people of the province is—and this is another message and it goes along with the process message—“You don't really believe that what we said in the election we are honestly going to do.” Because that is the message they are receiving. The government members can talk and tell us all about the tax process and the new budget, but they know full well, they know very well that these promises that they made in the Agenda for People will not be included in the 1991 fiscal budget. There is just no way they have got that kind of money.

The other fact of the matter is they talk about how they are going to pay for this and the process they are going to use to generate the revenue to pay for these new programs. There was an immediacy attached to the Agenda for People. The members opposite should not kid themselves; those people attached the immediacy to it. It was not the people out there. They said they would do it, and the fact of the matter is, when you read the Agenda for People, their budgets, their revenues are based on five years. They never said anything about two or three years to implement. So unless they are planning to sit for eight years without having an election, they cannot fulfil that promise.

I am very certain, according to their new rules on process—I am quite certain they would like to change that process as well. That does not shock me at all. In fact, I just think that they would like to sit there for ever, never going back to the people. But the fact of the matter is they are going to have to go back to the people. They wrote the

Agenda for People, and as I said to the Treasurer one day in here, nobody put a gun to any one of their heads, nobody forced them to sign that. They all signed it and they are all breaking their promises. Their promises were being broken the day they took office. Their budgets are based on revenue projections for five years. If they are going to make those changes to the revenue, then they had better do it now, and if they do not, they cannot fulfil their promises. So there is the second area.

The third area is the fair tax commission. There seems to be some theory that this new fair tax commission will in fact resolve the tax issues in the province of Ontario. There is also some thought, I think, that this government believes, basically, the people in this province are undertaxed. I think they believe that. I think they believe certain segments in this province are very undertaxed. I think you will see out of this fair tax commission a report that will outline ways and means to generate more taxes. There may be some—and again, I am dealing in futures. I am not certain that this will happen, but I have this very distinct feeling, I get the very distinct impression there will be very minor adjustments to reduce taxes for certain areas.

1800

On the whole—it will be in Hansard, so mark my words—I think this government believes the people in this province are undertaxed. I think they believe they can extract more money from corporations, from wealthier sorts, the middle class. I believe that they can extract more money that way, and there may be some give-back to the working poor, to the less fortunate, and I am not suggesting that is not in fact correct. What I am suggesting is, I do not honestly believe that this province is undertaxed. If anything, I think this province is overtaxed. I think the people in the province of Ontario, if asked, would probably agree with me they are overtaxed.

I think the fair tax commission is going to go out there and discover something very, very frightening. I believe that they are going with the conclusion that this province is undertaxed and they are going find some way to increase the taxes and they are going to run into a very hostile crowd.

I do not believe the vast majority of the people in this province believe that. If they did believe it, I think the New Democratic Party would have got more than 37% of the vote. In my opinion, they will see that take place or evolve over the next one or two years.

I also think there is a potential for a 66% tax rate in the highest earnings areas. I believe that could be one of the recommendations out of this committee. I think there is going to be significantly more money, more taxes spent for those as well, and I think we are going to see somewhere in the 60% to 66% range.

I do not think it is healthy. I do not think it is something that will inspire job creation or anything along those lines, but I just think it is something that is going to come forward from this fair tax commission. Maybe I am wrong, but I think that is the attitude. I am not suggesting that is right or wrong, I am just sounding a warning gun that I think that is what this fair tax commission is going to be.

I also believe that the appointments to this fair tax commission are going to be very partisan. They are not going to be a cross-section of the community. If they are a cross-section of the community, I also believe that we will see a significant number believing in more taxes than those believing in less taxes. I think we will see a stacked deck. I think the fact of the matter is the recommendations that are going to come down to the Treasurer—I am just saying this is what I believe will take place; maybe I am wrong.

They are telling me they are going to fulfil all their promises in the budget; I do not believe them. Now, they can believe, as I do, this will be a stacked deck, or not, but the fact of the matter is, that is what I believe. Everyone has a right to believe whatever he wants, and I think that they are going to stack the deck.

I also think that they are going to bring in a report that is going to call for greater taxes and I think it is going to be regressive. I think the last thing we need in this province are more taxes. That is casting no aspersions on other levels of government, or previous governments; they made the decisions they made.

Right now, where they sit, the last thing they should be doing is looking at increasing taxes. I do not think the people want it, and from an economic point of view, I do not think they need it.

The committee appointments: This is sort of a process that I think this government is using to cleanse itself. They believe that by setting up this process they will in fact cleanse themselves of the responsibilities of those being appointed. I do not believe for a moment that this committee will in fact be what I consider one that will look at appointments and make serious recommendations that will be adopted by this government. I think this government will recommend one individual. That individual will go to the committee—and I hear they get half an hour to interview him. They can correct me if I am wrong, but I hear they get around half an hour to interview this person, and after half an hour this committee is supposed to make a recommendation that is going to change the Premier's mind, after his staff in fact reviewed and analysed this appointment.

I do not think anybody here believes that is going to be a process that will allow serious input from the opposition. I do not think that anyone can believe for a moment that it will get them off the hook. These were their appointments. This thing, I do not think, is fooling anybody. They are going to make one recommendation, that recommendation will be sent to the committee and that committee will rubber-stamp it. The committee is stacked in favour of their members. It is pretty clear, in my opinion, that this is not going to be what I would consider to be an open and fair hunt for the best person available for the job.

I think there will be token representatives from the other parties to certain appointments. I do not think they will be important appointments and I do not think they will be the kind of people I would like to see appointed. I do not think there is anything wrong with that. I think the government is elected. They have a certain philosophical bent on how they do things. I think they should be allowed to appoint whom they want. I think that is the way govern-

ments work and I think they want people who are like-minded to sit on commissions and sit on boards, who will input and put forward policies they agree with. What is wrong with that? That is democracy, I think. I do not think there is anything wrong with that. What I take exception to is the government of the day suggesting, by striking a committee slanted in favour of government members, that it has somehow absolved itself of the fact that it is now making government appointments. That is a crock. They are government appointments. They are going to be the government's people and the important people are going to be hand-picked by the Premier, and the only difference between the way it was done before and the way it will be done in future will be, seven or eight of the government members will sit around a table and put their hands up when the Premier pulls the string.

Mr Scott: When did you figure this out?

Mr Stockwell: Yesterday.

Mr Scott: Where have you been all week?

Mr Stockwell: I was talking to my friend, remember? He explained it to me.

Let's be upfront here. This is not kidding me. I do not think it is kidding anybody. The government should forget the committee; it should just do it. We all know what the government is doing. It should not pretend. The member for Renfrew North suggested it is the window-dressing that bothers him and I agree, as I stated in one of my earlier speeches. It is the window dressing. The government is blowing smoke. It is trying to convince us that this is an open and fair process. The Premier hand picks them, the government stacks the committee and approves it. What a process. Holy smoke, they think everyone in the world just fell off the turnip truck.

I think the other thing that bothers this particular government is the thought that it has partisan appointments. Yes, it does. They are going to have them, they are going to have to face the battle. That is what happens when you get elected. They are going to have to appoint people I do not think they should be appointing and I am going to say that and that person is going to do something or act in a certain way that they are not going to be in fact in favour of and they are going to have to defend him. But that is what happens when you get elected, and by washing this process through—how many? three Liberals and two Conservatives, five other members of this Parliament—and suggesting it is fair and it is above board, the government should stop it. That is ridiculous. I do not know how the backbenchers can buy it. I cannot understand how they can buy it, how those people who have been elected to represent the people—they have fought tooth and nail any major decision that did not follow the process to the letter—can stand here and defend this charade. They have to be embarrassed at themselves.

Mr Scott: Well, we are embarrassed for them.

Mr Stockwell: That is it, maybe we are. In the end, everyone says how this government is going to be measured and I do not know, frankly, how it will be measured in five years. It had better pray it is not measured on the Agenda for People, because its members are going

to be colossal failures. In fact, the shredder machine should be working overtime while we are off and the government should shred every copy it can get its hands on, or else, I think better, the Premier should have printed this in invisible ink, because this thing and reality are not even close. Reality is a concept in this thing and there is not a prayer the government is going to do it.

We are in the middle of a recession, which the government wrote in its Agenda for People. It said: "We're in the middle of a recession. Elect the NDP. We're going to do all these wonderful things and Shangri-La will pop out of Lake Ontario." There they are out there saying, "Gee, when is this going to happen?"

We are in the middle of a recession. The government promised farmers preferred interest rates, it promised small business people preferred interest rates and it promised the home builders preferred interest rates. It also told them it cannot give them to them until probably part way into next year. Is the government telling us it thinks the recession is going to be over late next year? The recession started around the summer; the government declared it. It is going to end around into 1991 and the government is going to have its policies in place around mid-1991. What a colossal waste of time. By the time the government ends up getting the first buck out, we are going to be out of the recession. We are going to be on our way back up and the government is going to be sitting here saying: "Gee, see how well we solved this problem? See how well we did? We're not in a recession any more." It is absolutely absurd to suggest for a moment that this in fact is going to be the case when we talk about preferred interest rates to farmers.

1810

Another point that really ticks me off in that Agenda for People—I guess people bought it, but somebody has to be the most naïve person the world to believe this one—is that in the middle of this thing, when they are talking about preferred interest rates, preferred interest rates for farmers, preferred interest rates for home owners, preferred interest rates for small business people, they wrote right in there, "at no cost to the taxpayer."

Have any of them thought about that? Have any of them thought, "Gee, what does that mean, 'at no cost to the taxpayer'?" That free: at no cost to the taxpayer. How are they going to apply a program at 10.5 per cent for free? How? How do they do it? First, that means they have nobody managing the program. Second, they have no secretaries working. They do not buy a single desk or a typewriter. They do not write a single letter. They never approve a single loan and not one loan goes sour.

Free? How is that program free? They are dreaming. Either that or they have never had to run a business or been involved in anything where somebody said, "Free," because as soon as somebody says, "Free," you are supposed to turn around and walk away. I am not really certain why they did not, because nothing is free, and no program that they are going to open and operate is going to be free.

I think we are going to see some very interesting times in the next two years. We are going to see capitulation. We are going to see them acquiesce. We are going to see them

change. We are going to see them revolve. And we are going to see the 3Rs become 4Rs in certain ministries—reuse, reduce, recycle and resign—because there is no hope that the programs can in fact be fulfilled. There is no hope that the agenda will in fact be fulfilled for the people. There is no hope that this budget that they are handing down will have any impact on the Fair Tax Commission.

In my opinion, the people of the province of Ontario, on the promises made by this government, have no hope. The NDP members sold their souls. They sold their souls in August and early September. They sold them when they promised things they could not deliver.

The fact of the matter is that the members of the other parties, and particularly the Conservative Party, promised the people of this province nothing, and they were slammed and hit for not promising more. Members can laugh, but we did not promise them anything. We said, "We can't make you promises; we've got to look at the books and dig up our promises."

The fact of the matter is that we can in fact get up in the morning and shave. These people cannot look at themselves in the mirror because as socialist democrats, as the NDP, as believers in the process, they sold their souls.

Mr Scott: I would like to congratulate the honourable member on a very interesting speech. It shows one thing, that the right is fully occupied by the Conservative Party and that no efforts will be made in this Parliament to advance even slightly to the centre from its historic position. That is a great consolation, I imagine, to the other two parties in the Legislature, both of which have coalesced in almost a single, centre-of-the-road party.

I would like to say to him that I share entirely his views about the proposed appointment process which allows the government to nominate and a government-dominated committee to approve and thereby create the image that the government is absolved from responsibility for the person selected for the appointment.

I would like to ask the honourable member if he draws anything from the fact that the model for the appointment review process adopted in Ontario is almost precisely the model that Prime Minister Mulroney instituted which permitted him to introduce literally dozens of patronage appointments of the worst type under federal scrutiny. Is that what he is saying, that the federal process is as bad as this process? I believe it is. I would like to hear his view.

Mr Stockwell: To be perfectly honest, I do not know what the process is that the federal government uses in making its appointments.

Mr Scott: It's pretty well the same.

Mr Stockwell: If it is the same, I do not agree with it. I do not think there is any secret with respect to partisan politics. As a Conservative, I voted many times on Metropolitan Toronto council and on Etobicoke council against what the conventional thinking of Conservatives was. If Ottawa is doing that, then it is wrong, and if it is wrong, then it is wrong. I am not defending it.

The other thing that needs to be stated is, I do not necessarily think it is wrong for governments to make appointments. I do not believe that is wrong. I think those

people got elected, and they got elected by the people of this province, and part of that process meant they could make appointments. Now if they do not think those appointments should be made, then they should abolish the commissions and boards. If they do not think they should be appointing partisan people, then they should not appoint them.

The fact of the matter is, it is a democracy, and if they believe that they were elected and they can make appointments, then they should do it. I say to the member for St George-St David, I am not opposed to this government making appointments, as he is. I am opposed to the process they have instituted; and if Ottawa is doing it, I am opposed to it there. What I am also opposed to is the window dressing and the camouflage they use to lend it credibility. There is no credibility, there is no integrity and there is no honesty in it.

The fact of the matter is they are making their partisan appointments, they are sending them to a committee and they are saying to that committee, "You people approve these." They have a stacked committee, a committee that is stacked full of their members. When they vote, I know how they will vote; they will vote the way the Premier tells them to vote. They should abolish it, forget it. They are not kidding anybody. When they get a chance to meet with the Premier next, which probably will be before 1992, those members should get in there and say to him: "Gee, that's just not cutting it. Do away with it, because nobody's buying it."

Mr Drainville: I am happy to have this opportunity to speak in the debate on the resolution and to talk a little bit about the philosophy of governing that is certainly in play as we look at the legislation and the actions that have been taken by the government up to this point in time. I am going to keep my remarks rather brief, but they are remarks that nevertheless need to be entered into the record.

First of all, I would like to speak basically about the change that every party necessarily goes through as it moves from the opposition benches to the Treasury benches. There is no question that there has been a change in how we have approached things as a government, because every government changes in terms of how it approaches things. For instance, I would like to just mention a quotation from the great German philosopher and writer, Goethe, who said: "We know accurately only when we know little. With knowledge, doubt increases." That is true.

When we were in the opposition and we were looking at the government and attacking government policies, the realm of knowledge from which we were attacking at times was limited, because the knowledge of the reality of the figures in terms of budgeting and in terms of how the government was operating was over on this side. We did not have that information and often did not have good access to it. That is the way our system works.

Now we are in the situation where we are the governing party because of the decision on 6 September and, as such, our knowledge has increased. But so have our doubts, and they are not doubts to be afraid of. The reality

is that we face a period of time when there are exigencies that are beyond our capacity to deal with; for instance, the recession. We did not bring this recession upon us. It is a recession that has been forced upon us by monetary policies of the federal government and by global problems in terms of trade and other factors. But we have to respond to it, and we are responding to that in a way that I can only say is perhaps cautious.

Let's speak about caution. The opposition has made great comments about our lack of ability to keep all our promises. If that is a valid criticism, I am willing to say they are right; we have not kept all our promises in the first three months we have been in office. We have not done that. Who knows? I might even say that in the full length of the period of time when we are government here in Ontario, we may not be able to keep every promise we made in the election campaign.

1820

Let me say again, if we are to look at caution, why is it that we are cautious? Because governments, by their nature, have to be cautious. The decisions they make have to reflect sober second thought. They have to reflect the reality they are facing in terms of the economic, social and political reality they find themselves in.

What of the economic reality? It has been said many times in the last number of weeks that we are in a recession. How should we respond to that recession? Daily we get very confusing messages from the opposition benches. Practically the first day when we were entering upon the throne speech debate, the honourable Leader of the Opposition, if you read his text, spoke on the one hand about how we are in the pocket of big business and said that our Premier went down to New York, and in going to Wall Street he was in the pocket of big business. A page later you read that we are in the pocket of the labour movement in Ontario.

One cannot have it both ways. The reality is that we are working with business, yes, and we are working with labour, yes. We are working in fact with all sectors of this province, and we are doing that work in consultation with them because of the necessity of being cautious in how we deal with these affairs as we face such difficult economic times. I am reminded of Victor Hugo who wrote, "Caution is the eldest child of wisdom."

In my view the decisions of our government and the philosophy we have put forward to the people of Ontario are sound. You see it in the legislation we have proposed. Just to mention a few: Bill 1, An Act to amend the Retail Sales Act; Bill 4, An Act to amend the Residential Rent Regulation Act; Bill 14, An Act to amend the Employment Standards Act with respect to Pregnancy and Parental Leave; Bill 17, An Act to amend the Law related to the Enforcement of Support and Custody Orders.

All those pieces of legislation, and I give due acknowledgement to the former Liberal government because many of those pieces of legislation began under that government, are pieces of legislation which we have moved through as quickly as possible because of our belief that they give an indication of our care and our concern about the fabric of society in Ontario. That is why we are

committed to going cautiously, and yet boldly, in areas where we know that statements need to be made.

Further to that, I would like to speak briefly on the issue of national unity. Many comments have been made today about the program that has been set forth by the Premier in the statement he made in the House. There is no question, I would say, that there is a unanimity of spirit that we need to act on the issue of this question of unity, that indeed the future of Canada is going to ride on how we are able to speak about the future of our country and how well the process we initiate is going to be able to draw people into those discussions.

If there was anything we learned from the Meech Lake debate, it was that we can never again allow for a lack of process on such an important issue. Indeed, what we are proposing is a means by which we can draw the people in Ontario into a relationship where they can speak not only about what they see in terms of the government they want but so they can dream about the Ontario they want to see in the future.

The leadership we have given as a party in this province and in Canada is clear. We support a federal system. We support a system that is going to be co-operative in Canada so that the regions and the provinces work together. We support a system where the rights of individuals are taken care of by the institutions that are set up to oversee the lives of those individuals.

We can see also that the fundamental reality we subscribe to as a government in terms of the national unity, the fundamental understanding, is that we must ensure at all cost that this unity is safeguarded by constant dialogue and communication between all the members and the parts of the society to which we belong.

The beginning point for that in terms of this House and the disposition we will make in this House will be in the next period of time as we look specifically at what people in this province are saying to us about national unity.

In terms of the decisions we make as a government and the spending we do as a government, the honourable member for Etobicoke West indicated that we will take credit for the good news of bringing Ontario out of the recession in the middle of next year. He is right. We will take credit for that; there is no question. He is absolutely right. That is the reality of being in office. When the days are bad, as they are right now, and the opposition attacks, we take the criticism because we have to take the criticism. But conversely, when the days are good and when boom times come again to this province, as they will under the fine leadership of this government, we will see that we will take the credit that is justly due this government.

I want to respond very directly to the comments of the member for Renfrew North and the member for St Catharines in the debate this afternoon. I must say in an aside, they are two members who took over two hours of the time of this august body today. Many of their comments were good and helpful comments in terms of trying to understand the direction we need to go in as a province. Perhaps there were many points I really did not want to hear today, but I did appreciate many of the points that were made by those honourable members.

My last point is that we in this government are committed to a future that will bring Ontario into a society which will be co-operative. Where there are problems, we will tend to ameliorate those problems by dealing directly with the needs and the aspirations as they are shown to us by the people themselves.

If there was anything that was clear in the statement of the honourable Premier of this province today, it was that he indicated the process we would pursue was a process that was founded upon consultation. That consultation is needed, and after that consultation we must act. We must act for the people of this province. We must act as a government that shows we are willing to take the initiative to lead this province and we must act to ensure this country that we believe in and that we have given our hearts and our minds to is a country that will continue in existence, this country we call Canada.

1830

Mrs Sullivan: I am pleased to speak in the debate on supply, which is in fact the way we pay the bills. I am concerned and wanted to participate in the debate for a very short period of time because there has been no mention of agriculture during the course of the discussion to this point and I wanted to put some of the agricultural issues on the table. They are important in Ontario, and I want to be certain they continue to be brought to the attention of this government, which I understand does not have a heavy agricultural background in terms of membership and people who have been involved either in the industry or as part of some of the associated industries relating to agriculture.

There is an old story about the Englishman and the Irishman who were speaking during a low point in the last war. The Englishman said, "The situation is desperate but it is not hopeless," and the Irishman said, "No, it is hopeless but it is not desperate."

When you go to agricultural meetings across the province, you will find that farmers are seeing, one way or the other, no matter whether they are from the north or from the south, from southwestern Ontario or from central Ontario, the same kind of things, no matter how they put it, depending on the nuance of the situation. I will give an example of some of the things that people in my community who are farmers see as being an example of a kind of distorted priority. It costs Halton, for example, \$135 a ton to ship our garbage to the United States for disposal. However, my farmers are being paid \$85 a ton for the produce of their operations.

Ontario—and I want to illustrate what the significance of that industry is—is in fact Canada's largest agricultural province. We forget that. We seem to generally think that the western provinces make more of a contribution in terms of agricultural output than we do. That is not the case. Our agricultural output is about \$5.8 billion each year. We have 14 million acres of farm land and 130,000 to 150,000 people on something well over 72,000 or 73,000 farms. One in five jobs in Ontario depends on the agricultural industry.

I think the Treasurer will certainly have been briefed on these matters, but the industry is in a crisis situation. I cannot describe it any other way. Changing commodity prices have affected output significantly. The international protocols, including negotiations relating to GATT and the supply management questions that are involved in those negotiations are creating severe pressures and severe concern in our agricultural communities. It is something that must be solved. There is a postponement in those discussions now and there is no question that our farmers and people who are associated with the agricultural industry are very concerned about what the outcome will be of those discussions after Christmas.

We also see changing consumer demands. The emphasis on fewer drugs used in agricultural production, in livestock production, in crops, increased use of land stewardship methods that will decrease the use of pesticides and chemicals in farming have meant that there has to be new capital spent to change methods of production. We see heavy interest rates that are brought to us courtesy of the federal government and the impact they have on the enormous capital costs that occur every year for farmers. The question of international subsidies on agricultural production is certainly a matter of concern. Our competitive position is threatened as long as those subsidies are not reduced. The cost of new pesticide regulations, of the implementation of those regulations, under the new pesticide discussions is also adding to the farmers' costs.

Land use planning issues: Once again, the intrusion of urban areas into our agricultural class A farm land is certainly a matter of concern as we are looking over the long term at the impact of how we are going to be maintaining our food production system. And the newest pressure is the pressure of compliance with the goods and services tax, for farmers an extremely complicated tax, given that some areas are zero-rated, in some areas there is an exemption and in some areas there is a payment required for GST by farmers.

Over the past five years, there has been some acknowledgement by this province of the changing aspect of agriculture, and we have seen significant funding changes through the Ministry of Agriculture and Food from 1985, when the funding was at \$328 million, to the 1990 budget, under which we are working now, where the funding is \$558 million. That is an increase of \$254 million, or 84%, over that very short period of time. I suggest that before this year-end is out, the Treasurer is going to have to be looking at additional programs and additional expenditures of money in that area.

As we look at the necessity for financial stability programs, stabilization programs which will be of use to the agricultural community, I know that the minister has been introduced through his meetings with the agricultural bodies, including the Ontario Federation of Agriculture, and pressed regarding the need for increased and well-thought-out stabilization programs.

As members recall, OFFIRR, the Ontario family farm interest rate reduction program, which was introduced in 1985 as a result of low commodity prices, brought to the agricultural community some relief on interest rates. That

was extended in 1988, and included in the 1990 budget was further OFFIRR interest rate reduction assistance. The question as to the continuance of that is something that our farm communities must become apprised of very early so that they can plan for their next year's capital expansion.

We have seen changes in agricultural stabilization programs in terms of federal-provincial agreements relating to grains and oil-seed producers, red meat stabilization, programs for hogs, sheep and beef and stabilization programs for corn, soybeans and white beans.

Clearly, additional changes and initiatives are going to have to be carried forward. Through some of those programs already we have seen initiatives that will assist in the funding of research for preventive herd and flock health programs and nutrition. Clearly, more can be done in that area.

Once again falling into the agricultural sector, we are going through increasing restructuring in the wine and grape industries. The province has been of enormous assistance to this point in time. There will probably be more that will have to be done over the next period of time.

Once again, the free trade agreement has impacted on our agricultural producers. The Food Industry Advisory Committee has been working diligently to discuss some of those problems relating to restructuring. I think I have to underline again, though, that appropriate stabilization programs must be put in place to assist in that restructuring and adaptation process.

One of the issues that has been a matter of some debate over a period of time relates to the property tax rebate for Ontario farms. That property tax rebate was introduced in 1970 to relieve the tax burden for farmers, through several manifestations since that period of time. In 1990, a universal approach to payments was introduced to ensure that it was the legitimate farmer, the producing farmer who was receiving benefits under the property tax rebate. In that case, in a two-year program, the farmers would receive a rebate of 75% for farm lands and outbuildings, to a value of about \$151 million in the provincial Treasury for this fiscal year.

The farmer had to have a gross production value of \$7,000 to qualify for that rebate, but one of the things we are seeing in areas such as mine is that where property values are higher, the value of the rebate to the producing farmer, when all other costs are the same, is in fact reduced. This is a matter that must be dealt with in that we are seeing significant differences in available income for productive use for farmers depending on where they operate in the province.

I asked the Treasurer the other day at the meeting of the standing committee on finance and economic affairs if this and others matters relating to the property tax would be included in the Fair Tax Commission. He said that was yet to be determined. I think it is a matter that ought to be included in that commission work.

We have noted that the Premier has indicated that his view is that Canada should not be at the table in any discussion of a Mexican-United States trade negotiation process. I find that view alarming in that if we are not at the table, we cannot object to any of the decisions that will

be unfair to our current situation, nor can we have any indication of whether there would be some positive advantages to a furtherance of that accord. As members know, Mexico and the USA have agreed in principle to negotiate a comprehensive free trade agreement, and consideration is being given to Canada's participation in those negotiations.

1840

I think back—and I want to keep my remarks specifically to the agricultural issues—as a child and as a young woman, I was very involved in exporting cattle to Mexico, and there was a clear market for Ontario-produced dairy cattle in particular. If we take a very brief, introductory look at Mexican production now, we know that Mexico is not able to produce enough foodstuff for its population, whether it is wheat, dairy products, livestock feed, vegetable oils or milk. In Mexico there is limited arable land. There is a growing population and extremely limited water supplies. It is very clear that after and if an agreement comes together, the US producer will have increasing access to the Mexican market as the restrictions that existed in the past are removed.

The question is, what would the benefits be for Ontario if Canada were involved in that? I would suggest that it would be important for us to look at areas such as the export of raw agricultural commodities such as canola, wheat, barley and beans, all of them growing in Ontario, all of them grown in quantity that can supply new and developing export markets. Similarly, primary process products such as skim milk powder may also find a new outlet in Mexico; processed meat products a similar thing.

Once again, at the standing committee on finance and economic affairs the other day, the Treasurer indicated that there are no studies in Ontario looking at the economic impact or any other kind of impact on any of the sectors in Ontario relating to any proposed Mexico-Canada-US trade arrangement. It seems to me that is shortsighted. We should know what the positive aspects would be. We should know what the negative aspects would be. And we should also know where and when we can benefit or where we will lose if we are not included.

I am concluding my remarks now. As I said earlier, I wanted to be brief, but I did want to ensure that agriculture was on the table. It is a significant part of our economy. It had not been raised before and I wanted to be certain that some of these issues were put on the record in this debate so that they can be dealt with as the Treasurer and other ministers are looking at the kinds of priorities that will be set for spending over the next period of time.

Mr Turnbull: I promise I will try to not make this an hour-long proceeding. I think that the government members are aware that we are certainly going to vote with them on this bill, but this is a good opportunity to point out a few important considerations that we feel they should take into account. First of all, there is a need for fiscal restraint. We hear this always, but what is fiscal restraint? It is a sense of balancing what we are spending our money on. Are we spending the government's money well? Ultimately, how well we spend our money is going to trans-

late into either how much taxes we have to raise or how much debt we are going to accrue. Let's reduce any unnecessary expenditures, look at everything very carefully and let's be very shy about saying, "Let the government do it," because governments do not do things very well.

An interesting statistic that I only became aware of just a matter of a few weeks ago, since the election, is that the average Canadian actually receives more benefits than he pays for in taxes. This is taking federal, provincial and municipal taxes. I think the average person, certainly people watching this television show, will say to himself: "Well, wait a minute. I don't think that I get that." However, that is the reality, that government simply does not deliver services very efficiently. It has been estimated, conservatively I believe, that for every dollar's worth of services that are delivered by any level of government, there is at least an extra dollar in administration.

I know that socialist dogma has it that you must be all things to all people, but I would caution the government that if it wants to stay in power, it is going to have to show at the end of its four- or four-and-a-half-year term what it has done for this. The past government has just been through the unpleasant experience of having to be brought to account for what it has done. They were in power for five years. The first two years they were in power as a result of an accord with the NDP and then for three years they were swimming on their own. At the end of that time—it was probably the best five-year period that Ontario had ever been through in the last 50 years—what had they done? They had added to the debt.

I do not want to take anything away from the gentlemen to my right here. They had governed in a way that they thought was appropriate. Unfortunately, I think we all see that once you get into government—this government is learning this at the moment—there is a lot of pressure that you did not anticipate to spend money. At the moment, this government also has pressures not to spend money, certainly from our side of the floor.

If there is this one-to-one relationship between the costs of government services, the question is, why not let the private sector deliver those services? The government can put a framework into play that says we must ensure these services are delivered to the public, but let us find the most economic way of doing it.

Of course, looking at the most economic way of doing things may imply that the government is going to give business to companies which are not unionized. That is something it is going to have to get used to. Only a very small part of Ontario's labour is in fact unionized. By the same token, I would say that this government was elected by only a small number of people. In fact, around 23% of the eligible voters cast a ballot for the NDP. That is not a sweeping mandate to spend money. Nevertheless, the way our political system works, this government has the right to govern and we do not begrudge it. Believe me, we do not.

We are here in opposition to point out when the government does things wrong and also to chivvy it and say, "Why don't you do things in a little bit of a different way?" We get bad value for government-delivered ser-

vices. That is just the nature of the animal. We can go throughout the world and look at government-delivered services, and in fact we know how badly they work. The ultimate extreme of course is Russia, where the whole socialist system is falling apart at the seams, so let's not let dogma get in the way.

We have heard some rather interesting flip-flops from the NDP in the last few weeks as to where the fault for the recession lies. First of all, it is a made-in-Canada recession, but when a question from across the floor is asked which that does not quite fit in with, we get, "Oh well, it's a worldwide recession." The truth is yes, it is a worldwide recession, and yes, in Canada we have a more severe recession, but the other truth is we have a yet more severe recession in Ontario. It is estimated by many economists that Ontario is probably going to be the worst off out of Canada in this recession and will come out of the recession later than any other province.

What are the reasons for that? There are many reasons and they do not all flow to the fault of the NDP or my Liberal colleagues. Nevertheless, we have been living in Ontario and piling up debt, and we are now a very high-cost administration to be in. We have high taxes. We now see retroactive legislation which, as I spoke to about two nights ago, sends out a very negative message as to what this government will do. And we have a high degree of regulation.

All of this is going to erode our jobs and the ability to recover from this recession. So much of our economy is now tied to the automotive sector and we have become a very expensive place to manufacture.

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How will the government do? Time will tell, but we are putting them on notice that many of their policies will not work. It has been proven not to work in many other countries of the world. Believe me, coming from Britain 21 years ago, I saw what many years of socialism did. It destroyed Britain. It was almost inconceivable. I lived for a little while in continental Europe after I lived in Britain, and people took a great deal of joy making jokes about Britain, about "Oh, you are finished," and little snide remarks.

They were telling us that Britain could never assume a major economic role in the world again. Now it did, and it did under Conservative rule. I have to say, yes, there are many things that I look at in Britain that Maggie Thatcher did which I do not approve of, and maybe it was not quite humane enough, but never the less in Britain they did realize the folly of too much government intervention.

Looking at intervention, it naturally leads to the question of taxes. Under the last administration we had 33 tax increases. I am not going to list them all. Members know them. The most sinister of them were things like the commercial concentration tax where they said: "Oh, you are very fat cats in the greater Toronto area. Let's put an extra tax on large buildings in the greater Toronto area." That erodes our competitive position in the world, and that erodes their ability to be able to offer jobs to their electorate and to our electorate. Ultimately it is going to have

very negative effects throughout the province and we are beginning to see those.

We have seen increased land transfer taxes. So far I have not heard any mention from the NDP that it is going to reduce land transfer taxes. We have had the Minister of Housing talking about the need for affordable housing and we agree we must have affordable housing, but adding heavy land transfer taxes to housing is not the way to get affordability.

We have seen a payroll tax that ranges between 0.98% and 1.95% added to businesses, which really attacks the competitive position of businesses. That was the so-called health tax, but miraculously it disappeared into general revenue.

We have seen the vehicle registration tax increase by 66% in the greater Toronto area and only 22% in other areas of the province. The Ontario provincial income tax rate increased from 48% of the base federal tax to 50%, with a 3% surtax over a certain point.

If we want to plan a healthy economy, it requires that we have competitive taxes. We are part of North America. Whether we like it or not, we are part of North America, and a little later I will speak a little bit about free trade. Nevertheless, if we are going to ensure jobs for Ontarians, we need to have competitive taxes. Money is very portable; it will vote with its feet.

We need to have at some point a balanced budget. I have not heard of any party in the last few years, and that includes the Conservatives when they were in power, doing much about a balanced budget. One of the things I said when I ran in this last election was that I wanted to leave, for my kids and their kids, a clean environment and a clean set of books. By piling up debt we do not address that, because deficits and debt simply are deferred taxes. We are deferring taxes for our children to pay, the same children who are going to find that the Canada pension plan is underfunded and will be bankrupt in a few years' time. So the same children who are going to have to pay for our extravagant living are also going to have to pay massively when the Canada pension plan is defunct, and it certainly will be.

We do not suggest that the government should have a balanced budget this year because clearly we are in bad economic times—everybody recognizes that—but all parties have to start thinking about that day and planning a specific date in advance. We might be a little bit variable as to when it happens, but we must plan to have a balanced budget. More than having a balanced budget, we have to start paying down the debt so that our children do not have to pay for it.

Another concern that we hear bandied around so often in here is interest rates. The question is asked: Why does the federal government not reduce interest rates? I do not know. I am not part of the federal government. But I will say this: We have basically lost our ability to have a made-in-Canada interest rate policy. The proof of that was in February of this year when the Bank of Canada reduced the interest rate by half a per cent and we had a huge run on the Canadian dollar. That has very negative effects on

jobs—jobs of workers who, gentlemen, also vote for the NDP. The dollar dropped.

We might ideally wish that the dollar were somewhat lower, but it has to be a managed reduction in the value of the dollar. It cannot be something that just happens because, miraculously, the interest rate is reduced. The bottom line is that we lost our ability to have a made-in-Canada interest rate when per capita savings were reduced substantially.

We no longer have the luxury of having a high savings rate. That means we have to borrow from other countries. I wish it were not so, but it is. I have not checked in the last two or three weeks, but a few weeks ago you could get 9% investing in Germany. People, investors, who had no allegiance to either Germany or Canada, concluded that, yes, they would indeed like to invest in Canada if there was a big enough gap in the interest rates.

We have to encourage savings. The way to encourage savings is by reducing inflation, by reducing high taxes and by taking away the bogymen of estate taxes because Ontarians with wealth will move away from Ontario as long as that is hanging over their heads. I had a lady who was almost in tears phone me last Friday in my constituency office and say, "Are they going to take that away, because we have to move and we do not want to move away from our family if that happens?"

The NDP, with some of its policies it has enunciated so far, erodes confidence. I would ask them to seriously lobby the Premier and say, "Please, let's at least start fine-tuning what we are doing." We know they were elected on a different platform to ours and they legitimately have the right to govern and they have the right to govern according to their agenda, but it needs fine-tuning.

I must say that I applauded the NDP for having the guts to come out with the Agenda for People, inasmuch as it came forward with one document which said where the party stood. That is not something that has been common in Canada. I certainly applaud them for that. I do not agree with much of the content, but say to them to please listen to other people and believe that they may have a legitimate position where they can help them to govern well.

I hope that we form the government next time around, but nevertheless in the meantime I do not want their party to run the province into deeper debt. My friend from across the floor is indicating that we will be the official opposition. I do not think so, but be that as it may. We need to have confidence in this province and in Canada.

On free trade, we know that the GATT talks collapsed. Canada is a huge exporter and Ontario leads that exporting; about 60% of everything that is exported from Canada comes from Ontario and comes from practically 100 miles from Toronto. This is the engine of Canada. With the collapse of GATT, it points up the fact that we certainly need a window into the US market. We are in a rather unfortunate position in that we have just one huge customer for our goods. Most countries have the luxury of having many trading partners, but Canada has got itself, rightly or wrongly, in the position that 80% of the things that we export go to the United States. We have to ensure that is open. Do not tinker around with it.

1900

The alternative is to close the doors and say, "Okay, we're only going to have a situation where we manufacture things in Canada." Argentina tried that and it was a miserable failure. Many of the Latin American countries have made that same mistake. They have found that free trade is necessary. That is why Mexico is now coming to the free trade table with the United States.

The peculiar thing is, I went on holiday to Mexico to visit some friends of mine in the last March break. They are representatives of a Canadian bank and they have many Mexican friends. Their Mexican friends have concerns about free trade, because they are worried about the big United States monster coming over the border. Yet they are the cheaper country than the United States. So often we have heard the NDP saying, "Oh yes, but the United States is cheaper than Canada." The reality is, we have to get to the position that we are competitive. We have got to hone in on those technologies and those parts of industry where we can be competitive.

We must ensure that the most needy in our society are helped. The shotgun approach to helping people does not work, saying, "Okay, everybody is going to get so much money." We have to make sure that we hone in on those people and give them more help than we are giving now, because we have people in our society who are falling through the cracks and unless we address that urgently we will all be the worse off for it. The answer to it is shelter allowances so that we make sure that people are properly housed.

In conclusion, we need restraint in spending. Maybe not restraint in spending this year, but we certainly need to look at every expenditure we make in government to make sure that we are getting a bang for the buck. If we are not, take that money that we can save and address the most needy.

We need to be competitive. We need to encourage savings, because if we can get back to a high per capita savings rate, we will finally get to the position that we will not have to worry about foreign money and we can once again have a made-in-Canada interest rate policy.

We need to pay down debt and we know that must be done in the future. We know they cannot do it in a year of recession like this. But do not make the mistake the Liberals made during the last five years, the best five years we have known in the last 50, that debt is irrelevant. We must stop retroactive legislation because it sends out the worst message.

As a caucus they should get together and say, "Mr Premier, we have got to stop that." They have already sent the message out to landlords that indeed they cannot do any more renovations. Do not worry, they have heard that loud and clear. But let those applications that were in the system go through, so that little people whose life savings are in those buildings are not bankrupt.

Finally, we have to make sure that there is an expansion of trade. I wish this government every good wish in the coming years so that it can govern the people of Ontario well. But I do hope sincerely that they have taken to

heart some of the things I have said, because, believe it or not, there is a grain of truth in it.

Mr Callahan: I just dashed in. I particularly want to take part in this debate because I think this province is facing its most difficult challenges perhaps in the history of this country and the history of this province, and many of those have been spoken about already. They include such things as free trade, the recession, high interest rates and the extension of the free trade agreement by the feds to Mexico with Canada being excluded in terms of entering into those discussions, but I think those are things that we have difficulty in doing anything about because they are outside of our jurisdiction.

However, I think we can attempt to continue the strengthening of this province by doing a number of things. First of all, transportation is the key to a stronger Ontario. If we are to compete in a significant way with our neighbours to the south, it is going to require us to have an economy that is vibrant, an economy that can compete. At the moment, the cost of our housing is so outrageous when you compare it to the United States that that is going to be one of the real stumbling blocks to attracting business here and of allowing our citizens to be able to compete economically with the United States. When you look at what you can buy in the United States for \$80,000, you would be lucky if you could get the hen house here for \$80,000. That is tragic and that is something that is going to certainly interfere with our economy.

The other thing we looked at is the fact that—this is probably a very delicate subject to approach, but I think it is something that is going to have to be looked at realistically—we have allowed ourselves to price ourselves out of the market in terms of wages. I know we are going the other route now. We are trying to bring some fairness to those groups who have been left behind, but if we continue the upward spiral of wages we are going to find that we are not going to have any jobs that those people can take part in.

We are seeing this already through the free trade agreement and a whole host of other things: high interest rates; jobs are leaving this province left, right and centre; high cost of land. I used to think Buffalo was simply liquor stores and fires. When my son went over to Buffalo for his first visit, he expected the entire place to be brand-new because when he watched the Buffalo news it was either a liquor store holdup or a fire. There is no question about it: with the significant border that we have with the United States, the tax benefits they are offering, the cheap land they are offering and with the free trade agreement and the oncoming of the full impact of the free trade agreement, Ontario's economy, which is to a large degree manufacturing, is going to be lost.

We worry, and I think we should worry, about the question of keeping this country together, but I think we have to think more significantly on the fate of Ontarians because once we lose our financial freedom, our economic freedom, it is not far beyond that that our political freedom is gone. I do not know about other members of the Legislature, but I for one do not want to be part of the United

States, thank you. In fact, I left there to become part of Canada.

The cost of housing has a significant impact on our society, on our ability for families to conduct themselves and carry on in such a way that our young people are having the advantage of, hopefully, one parent around most of the time and perhaps two. I think we have to get back to basics. Perhaps I sound like I should be a member of the third party saying these things, but I firmly believe them. We throw money at drug problems, we throw money at the correctional system, we throw money at various other things, and in essence we are failing to recognize that all of those things that are taking place are really just symptoms of a greater disease, and that greater disease is the fact that our entire social values have been changed.

You turn on the television and you see a beer ad, and unless you are one of the beautiful people and you are prepared to swing with the swingers and drink with the drinkers, you are not anyone. What kind of an impact does that have on our young people? What kind of an impact does it have on our young people when everything that is being sold on television shows you the good life and tells them you have to have that; you have to immediately have a microwave oven because that is the wave of the future; you have to immediately have a television that is stereophonic. I think we have to realize that we have to try to teach our young people, particularly at a very early level in the school system, that good things come but you have to wait for them. You do not get them immediately.

1910

Our society is a throwaway society and a society where you want instant gratification, and the net result is that we are going to spend millions of dollars, finally, in correctional services, we are going to spend millions of dollars in perhaps dealing with mental illness, and we are going to spend millions of dollars looking after people who are going to become the flotsam and jetsam of this whole thing if we do not turn it around.

It is clear that our society has gone down the road a fair ways and we are not likely to turn it around tomorrow, but I think we can start with our children. For that reason, I think education has to be primary, it has to be at the forefront of our direction, and I am glad to see the Minister of Education here because I think it is very important that this is where we start.

I think the co-op programs have to be enlarged. They have to start perhaps at grade 8 and go right through to university and community college. Even with young people coming out of university today, because their curriculum vitae has nothing on it other than "I mowed people's lawns" or "I worked in a factory" or whatever, that does not give them an opportunity to get a job when they get out. That being the case, what are we doing? Are we really serving the needs of these people in a realistic world? I do not think we are.

I think the Minister of Education and the Minister of Colleges and Universities should look at the question of giving the opportunity to young people to combine a university degree with a community college degree. I am talking about the people who go on to university. This

certainly does not apply to everybody, but they should have the opportunity to be able to combine the practical with the theoretical so that when they get out they are not just a product of a university with a good deal of understanding of the history of philosophy but no way to earn their livelihood.

I remember during the community college strike I met a number of the teachers out here on Bay Street. I happened to know a couple of them. We got talking and the difficulty they were having was that they had declining enrolment in the community colleges, while they had 500 or 600 kids in a lecture hall at the university taking a course.

My feeling was that if we looked at this scenario of being able to, say, take a year at university and then a year at community college and so on, we could spread these kids throughout the entire system and we could maximize the use of the plant that we as a province have a lot of money invested in, and ensure that when those young people graduated they would in fact have a reality of the real world. It would not simply be academia.

That is dealing with the people who go on to university, and perhaps there are too many people who go on to university. I think in the past perhaps it was looked upon as some form of higher echelon to go on to university. We have lots of young people who should have the opportunity to go to advanced trade schools, advanced technological schools, to provide the workers we are going to need for this century and the next century. If we do not do that we are going to fall far behind other countries in terms of being able to compete.

I look at the free trade agreement, and I guess central to that and one of the cornerstones, certainly in Ontario and I guess in Canada, was the automobile pact. We all looked at that as being the saving grace of this province and the saving grace of this country, and yet the free trade agreement is kicking in the ability to be able to buy a second-hand car in the United States and bring it over here. Each year that gets more current; I think we are now up to six-year-old cars or maybe five-year-old cars. We are starting to see businesses start up, particularly in border towns such as Windsor and other places, where the used car dealers are actually selling cars they have bought in the United States and brought over here duty free.

It is my understanding, and I may be wrong, there is a one-year termination clause in the auto pact. If we get to the stage where we get to year 1 or year 2 of selling these cars and Canadians, because of the economy, decide to buy a car that is two or three years old, what impact is that going to have on the auto industry? And how long are the big auto people going to stay here? Are they going to see that it is cheaper to go to Mexico or to the United States, to San Antonio, close to the border, where they can use Mexican labour?

I am painting a picture that I envisage as being very dark and gloomy for this province because we are in fact caught in a very significant war. I think in order to be able to compete in that particular war and to be able to keep Ontario vibrant, we have to start looking at spending the dollars that are now being asked for here in a sensible way.

I think we have lacked foresight in terms of how we can approach the question of affordable housing. The question of affordable housing is not approached by saying the government is going to do it all and we are going to take the profit out of it because all these people out there who build them are bogymen who are just trying to make a profit, which is a dirty word. Some of them are. Some of them are scavengers, some of them are scabs, which I do not feel comfortable with, but if you want to change the cost or lower the cost of housing, you have to build an infrastructure of transportation. Transportation is the key.

I remember one of our members—and I cannot remember what riding he was from—had a four-bedroom house in an area in southwestern Ontario that cost \$80,000. If the government set up a transportation link that would provide transportation from St Thomas to the closest area where you could industrialize it and create an entire environment of business, it could in fact create housing for people rather than having to do some of the things that are being perhaps espoused or thought of by the cabinet.

We have the 400 series of highways. We own the rights of way to them. I will never understand why we do not take a page out of the California scenario, BART, the Bay Area Rapid Transit system. They run high-speed rail along the freeways. They do not have to buy up anybody's land, they do not have to stop the Spadina politically or, in the government's case, stop Highway 403 through Hamilton.

I think we have to stop making decisions based on what is sexy politically. We are running out of time, and if we continue to carry on the process of politics in this province as it has been—and that is not an indictment of the NDP, that is an indictment of all parties—rather than coming up with sensible solutions and ways to apply money but simply doing it because it is a quick fix from a political standpoint, we are going to run out of money and we are going to run out of popularity. I think we have already done that. We experienced it in the last election and I can assure the government members that they will experience it unless they change the scenario. I can tell them for sure that the municipal people who go out in the next election are going to find themselves in very great hot water, and when the Prime Minister and his gang go out, unless they have thrown enough money around from the GST, they are going to be in deep trouble too.

I think we have to look at that. We have to have vision. We cannot just plan for tomorrow. We have to stop the Band-Aid approach, because we cannot afford it any more. If the NDP wants to have Band-Aid approaches and it wants to check its popularity polls and how it is doing in the polling system, that is fine, but I can assure them that Ontario will become a suburb of north Tonawanda, and I am sure nobody in Ontario wants that. We have a beautiful province. I think we have a more sensitive approach to things than many other people in the world and I would like to see us maintain that.

I find it interesting that during the period of the accord we tried to reform the Mental Health Act. The Tories, before that, let people out of institutions. They considered it to be far more humane. Well, that is right, it is, but when you let them out and you let them roam the streets of

Toronto and the streets of the major cities and let them sleep out in the cold, that to me is not humane. You may feel like you have done a good thing, but you have not. Speaking of schizophrenics, I would say that probably 90% of the people you see roaming the streets are schizophrenics. Many of them who come before the court system are schizophrenics. What have we done about them?

During the accord, in an effort to try and eliminate the forcing of treatment on people who are mentally ill, we came in with amendments to the Mental Health Act. Some of them were very good. I do not think people should have to get shock treatment if they do not want it. But we did not give one thought, I do not think, to the question of a mental illness such as schizophrenia, which can be controlled by the proper application of medication.

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There is a challenge for the government. It can use the moneys it has got to do that. On the other side of the coin, I think it has got to stop giving money away. I was incensed to see \$500 million dropped because there was a political promise made during the election that they would parallel the provincial sales tax with the GST. That is not helping anybody. As I said in the debate in the House, they are helping the high-ticket earners because the people who need those programs who could have been helped by that \$500 million are not going to be buying the big-ticket items. So they are really giving it to the privileged. If that is what they want to do and if that is the new approach, then so be it, but I think they have made a mistake.

Last night in the House, the Attorney General did not say it but I am sure—he acknowledged it to me privately—that he has told groups in the law association that he intends to take over the collection of child support and pay it to these people and then go collect it from the fathers. I hope he is doing that for the right reason and it is not being done just for a comfortable political reason.

As I said last night, I am as concerned as anyone in this House is about seeing the children live not in poverty but in a reasonable arrangement where they can grow up and be good citizens. But the government, by taking on that responsibility, is really relieving the father of his responsibility. It is throwing something in the face of those fathers who are in fact making their payments. What have we done? Again, Big Brother, government, has eliminated responsibility. And what do our kids see? Our kids look at it and they think, "Well, if government is going to do that for me, it's going to look after me from the cradle to the grave, why should I have any incentive? Why should I not go out and get the quick fix in terms of instant gratification, buy all the big cars and all the rest of it and never have to worry about paying for them?"

I think if we as adults, and particularly as legislators, want to have that opportunity to be in the public eye, we have a responsibility to these young people to give them an example of how to do it, and not just the façade. I think politics is that way, and maybe I am very naïve to stand here and say that, but I hope for a brave new world of people who are prepared to work hard, to perhaps take a

little bit less and to perhaps create that Ontario where we can continue to be vibrant and economically sound.

We have gone a long way towards trying to deal with our seniors, but there has to be money plugged into that area to continue to provide the services to keep these people in their homes, to give them a degree of respect and honour and allow them to retire graciously and with honour instead of making them grovel and grope to get the money. That is going to take some very significant planning and not just Band-Aid approaches. We are going to have to look at it from the standpoint of an ever-increasing aging population.

Money is not always the solution to all these problems. That has been our mistake in the past: we have decided that money is the way to deal with it so we throw money at the problem and then when we run out of money we go back out and we tax the people we have thrown the money at, and they need more money because we have taken it away from them by taxes. So it becomes a revolving-door syndrome. That certainly is not helping the entire situation.

I want to speak specifically of a group that I met with this morning in my riding, the Peel Children's Centre. I am sorry the Minister of Community and Social Services is not here. The people the centre hires as professionals to deal with these young people are paid a salary that is less than what we pay; when I say "we," I mean institutions that are run by the government. The net result is that they cannot keep their good staff. They may have them for four or five months and after they train them they disappear and go with government operations. That has to be changed.

On the other side of the coin, our bureaucracy is so hung up that it says, "Well, we can't allow you to reduce the number of people you're going to use for services and perhaps increase the salaries of these people, because if we do that we're opening the floodgates and we're going to have everybody else doing it." I think we have to get out of this square box mentality we have and I think we have to bring the civil service with us. We have to tell them that when a member approaches them for consideration of an idea, they do not just clam up and say: "Well, we've never done it that way before so we're not going to do now and that's it. You're stuck with what you've got."

Surely to heaven, the 130 members in this Legislature who are being paid for by the taxpayers of this province, even though those guys are in the government and we are over here, we should all be listened to in terms of our ideas when we approach certain members of the bureaucracy and try to give them ideas or talk about things, not just be shut up with the comment: "Well, we never did that in the past. We're not going to do it now. You're stuck. If you want to get some satisfaction, you've got to go to the minister who's responsible." That is an awfully indirect route to have to pursue.

Finally, I want to talk about an inequity in my riding. The Liberal government pushed through and started off on the transportation enlargement in this province by pushing GO on the Georgetown line through to Guelph, and it was going to go through to Brantford—I do not know what will happen now—and eventually, I would imagine, to Windsor. The difficulty is—and I want to tell members this

because it is very important—that if that line is to be used effectively, it requires \$100 million to double-track the system between Brampton and Bramalea. It could have been done for \$10 million back in 1971, but it was not.

The effect is that we have a community of almost 200,000 people, with a planned population of about 300,000 people, and they have GO bus service and cars. So they get to Toronto on Highway 401 and on Highway 27 and the Queen Elizabeth Way, and all we are doing is stacking our highways. So I am putting in a pitch for us continuing the transportation upgrading. Let us get that Georgetown line going. We have a lot of money in it. We could solve it if we could get CP or CN to run the freight trains on a regular basis. For some reason—they own the track, I guess; that is why they do it—they seem to think they should be able to pull out of the freight yards any time they want, and we cannot come to a common ground with them to be able to have more service on that line. If we could give those people a little more service into Toronto and so on, we could eliminate an awful lot of cars on the highways and we would not have some of the problems we are experiencing in terms of the cost of upkeep and widening of highways.

Finally, I have appreciated the opportunity to speak in this debate. I will be in the main foyer to accept all the members' Christmas gifts immediately after this speech.

Mr Carr: I appreciate the opportunity to speak on this issue. Of course, as we have mentioned before, we will be approving this resolution to continue to pay the civil service, but I would just like to make a few points, if I could.

I would like to talk a little bit about the need for restraint. Since I have come to this fine House, I guess there has not been a day that has gone by where we have not had some type of group coming and talking about a need for spending. There is always a very worthy cause that comes up, and there are a tremendous amount of problems that we have in this province at this time. But I want to tell members a little bit about the fact that tax increases also affect people and do create a burden.

When I was running in the election, I went up to a household and there was a lady there—it is hard to believe now that we are in the winter, but in the summertime she was pruning her hedges. As I came up, she laughed at me and she said, "If you're a Liberal, I'm going to use these on you," and it was a pair of hedge clippers. We laughed and thought it was very funny at the time. But as I went down the driveway later on, she broke down and she was actually in tears. She had come from the Ukraine and her husband was from Ireland, I guess it was, and she was afraid of losing her home as a result of the high taxes.

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So I think we need to remember that we must all be accountable when it comes to taxes as well, because when I think back to this poor lady and her problems, we sometimes like to see how the spending needs to take place but we do not realize that people are affected in their ability to pay. In particular, people like the seniors are sincerely affected when we do increase their taxes.

In the end, when I look at the past government, even with a 130% increase in taxes, it still was not able to solve a lot of the problems. We still had the waiting lists at hospitals. We still had problems with our education system. In fact, we even had an environment that, overall, got worse. As we go on, I think what we need to do is spend more wisely, because we can rest assured the electorate will hold us responsible next time for the way we spend its money, because it will be their money that we spend.

It is my view that the time has finally come when we need to draw the line on the short-term, quick-fix solutions where a lot of times we throw money at the problem in order to serve politicians rather than the actual people of this province. What we need to do is look at long-term solutions that are going to be in the interest of the public and, more important, our children. Having three children, I do not want to have them saddled with the tremendous debts that we will pass on to them.

I think there is a perception out there by the public that there is a lot of waste in government. I think to some extent that is well deserved. The spending in many ministries increased dramatically last time. The Ministry of Health went from about \$8 billion to about \$15 billion, but in the end we still did not get the results we wanted and there were still waiting lists for surgery.

I think what we need to do in this House and in this Legislature is really worry about the results. We need to be more results-oriented rather than activity-driven, because we always talk about how much more money we spend. In fact in the last election my worthy opponent from the Liberal side did that. He talked about the increases, the amount that was spent and the amount of increases. But they really were not able to show any of the results. I think that is how the members opposite are going to be judged—really, in the results.

I know, as somebody who has come from a management background, we always said you have to be really results-oriented rather than activity-driven. Having come to this House and seeing how the activities sometimes can take over, I will say to the members opposite, and particularly the cabinet ministers, they really have to look at the results they want to achieve rather than sometimes worrying so much about the activities.

I certainly do not pretend to know the rest of the province, but I did spend 37 days going around in Oakville. The number one issue really was taxes. The NDP had a very fine candidate in my riding, Danny Dunleavy. He got about 20% of the vote. The big reason that I did so well was that we said there were going to be no new taxes. In fact, the people are saying that the Premier is a very bright individual and he will not go ahead and spend recklessly. I say that with all respect to the Premier because that is what people are saying about him. I hope they are right, because the people in my riding really do not want any more increases in taxes.

The temptation is great because there are a lot of worthy causes out there, but I tell the members opposite to really think about the people they will be hurting with any tax increases, because they are affecting a lot of the people in my riding, as well as in this province.

I also would like to comment a little bit on the creation of wealth. The throne speech talked a little bit about the creation of wealth, and I was very pleased to see that. I think the words were to the effect that wealth must be created, not only shared. I think that is very important, because as we sit here it is very easy to say that the wealth is going to be divided up and shared more evenly, but what we need to do ultimately, in the end, is make sure that wealth is created. If wealth is not created, the ones who will really be hurt will be the poor, who will fall further and further behind. Because I can tell you very clearly, inflation really hurts the poor. When inflation happens, all that means is the rich get a higher interest rate on their guaranteed investment certificates. But it is really the poor who are affected when inflation comes, and that inflation will come if we do not spend wisely and if we run up the deficits.

So I say very clearly and very simply we need to spend very much more wisely than we have in the past, and we do not need to increase the deficit. I think we need to review where the spending is going. I think the public perception needs to be changed, that we are doing our best to spend wisely. I notice there is a tremendous outcry, since I have come to this Legislature, about the GST from both my friends in the Liberal Party and my friends opposite. I hope we will remember, when it comes budget time with our Treasurer, that the people of this country and this province are taxed to death and the last thing we need is more taxes.

So I say to the Treasurer, as he contemplates the process coming up regarding the budget: no new taxes, please. In the past you could get away with it, or at least the last government thought it could get away with it. But in the end, as always happens, the voter gets even with you.

Again I say, in my riding of Oakville South it was the biggest issue. I had people calling me who said that they had voted NDP all their lives, but they knew that the Conservatives had the best chance of knocking off the Liberals so they did actually vote for me, and the only reason was that they did not want any increase in taxes. I say that because I know I did get a few calls from some of those people, and I was actually surprised when I did get those comments.

I was surprised also as I went around and found the number of people who say they are leaving this province and/or this country because of the high-tax situation. They are simply giving up because we have become the highest-taxed jurisdiction in all of North America. I think that is very sad that we send out that message. So I say to the members opposite, let's show some leadership and spend wisely. When new programs need to come in, as they often will, let's really analyse and really take a hard look at where the spending is going and whether it is justified.

I have the pleasure of sitting on the standing committee on estimates, and I look forward to being able to take a look at where the money is spent. I invite all members to take a look at the—I guess it was the quarterly update that was sent out last June, which really indicates where our money is spent and where it comes in. Even though we

come here sometimes with our own special interests and prejudices on certain issues, I think it would be well worth the members' time, if they have not already done so, to really take a look at where the money is being spent and where it comes in. It is very detailed. It breaks it down, what comes in from the Liquor Control Board of Ontario profits, what comes in from personal income tax, retail sales.

It is very interesting, because I think as we reflect on where the money needs to go, we also have to see very clearly where it is coming from. I am sure most of the members, like myself, are spending a great deal of time reading a lot of things, but if they can over the Christmas holidays, and if they have not done so, I would encourage them to take a look at it because I think it is very important that we know where the money is being spent and where it is coming in as we reflect on new spending programs that will be coming up.

In conclusion, I would just like to say that as we sit here tonight and we talk about spending and where the money is going, it is very easy to get caught up in the spending pattern. When there is a problem, and the recession hits as it has, it is very easy to say, "Well, what we need is more spending." I know the Treasurer has talked about the \$700 million, or probably close to \$1 billion, that he is going to pump in. But let's really take a look. Is it going to be effective and is it going to get the results that we really want? Because I sincerely believe that is what the people want.

When you do get a chance to look through the Ontario finances, one of the big concerns is when you see how much we are already putting in to pay for the public debt, the \$4.3 billion that I guess goes to debt interest charges. That is what makes it so difficult now to have spending. Deficits definitely reduce our ability to spend in the future. So let's not mortgage our future with these high debts. It is not fair to the next generation. I say to the members opposite, I guess it was our leader, the member for Nipissing, who said, let's not replace one high-spending, high-taxing government with another high-spending, high-taxing government. Let's make a lot of changes and let's be effective in the way we spend. Let's be results-oriented rather than just worrying about how much we spend. Let's act responsibly to guard against the spending, which I know is so difficult to do because there are so many worthwhile causes out there.

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It may be tempting to just throw money at it, but in the end I think the people who are going to be hurt the most are the ones we genuinely want to help. Because as inflation comes along, the ones who sometimes suffer the most are the ones who are the poorest and the disadvantaged. So let's make sure we redirect the money to the people most in need, because there is a tremendous amount of people out there and I think all members who have come to this House have done so because they truly and honestly want to help people, and in particular, those at the lower end of the scale, the poor, the disadvantaged. And let's make sure we do have enough money in the end to spend for them by spending wisely and channelling in the right direction.

So as I say to the Treasurer and the Chairman of Management Board of Cabinet, with respect, respect the value of the taxpayers' dollars, because it is their money and they cannot afford any more increases. I would also encourage the Chair of Management Board, who has a reputation of being a very tough negotiator—well deserved I understand—that we do look at the spending, because as we go through the ministries' spending we see what a large portion does go to the Ontario public service. She should remember that they are the taxpayers who ultimately, in the end, will have to pay for it. So she is going to have to take off the one hat and go across the table and it is going to be very, very difficult.

But I say the people of this province, the taxpayers, they should really encourage the minister to try to hold the line as best he can. I think all they are asking is that people be rewarded fairly, but we must remember, in the end it will be all of us who pay for it.

Again, just in conclusion, I say to the Treasurer on behalf of the constituents of Oakville South: No new taxes, and please, do not run up the deficit.

On a personal note, as we get close to Christmas, I want to wish all the members on all sides all the best of the season. I hope they will have a very safe holiday. I know everybody is looking forward to a bit of a rest in the session, particularly the cabinet ministers, who have been working very hard. I hope they will take some time to relax a little bit and get their lives in order, and I wish everyone the best and look forward to seeing everyone in the new year.

Hon Ms Lankin: Just a brief comment in response to the member for Oakville South. Let me say there are a number of points that he made on which I personally and, I am sure, members of the government would join with him in agreement, particularly when he talked about unfair burden of taxes and how they affect real people's lives, ordinary people, working people, the way in which it affects whether they can keep their home or whether they can survive from week to week without going to a food bank. We know, we have met those people. As he campaigned, he met them; all of us have, on all sides of the House.

I say to him, however, in drawing the conclusion therefore that the answer is just no new taxes, there perhaps is the difference between the approaches that we will take at this point in time. We will be reviewing a lot of options, but I think it has been very clear, from what the Treasurer has said and from what we have said in the Agenda for People, that we are very committed to having a fair taxation system.

The system that we have now certainly places undue burden on those who can least afford to pay. I think it is incumbent upon us and is our responsibility to look at that system to make it fairer. That may mean a redistribution in taxes. That may mean some lower taxes, some taxes being done away with and it may mean some new taxes, so we may depart on that point. But in terms of the effect that the member describes, I think that we certainly join with him in agreement.

May I also say just in response to the comments about the need to cross the table and to learn to negotiate tough

on the other side of the table, we all collectively in this Legislature need to be conscious of how we spend the taxpayers' moneys. The calls we have heard during this discussion and debate so far for no new taxes, for greater spending, for looking at the increase in salaries for all public servants whether they be elected or hired, those are important issues for us to consider, and I ask that we do it jointly. There are a number of challenges facing us.

For the member's good wishes and his comments for us to rest up for the new year, I thank him. We will, and the best to all members as well.

Mr Carr: It must be getting close to the Christmas season. We are all so nice to each other. It has changed over the last few days.

Just on the point of the taxes, when I say "no new taxes," what I am talking about—and as you go through the revenue and actually see where the taxes do come from, I think most people will say, "Our big concern is things like the retail sales tax," which I know affects everybody, because everybody has to spend. It is things like that. We will be helping as best we can in terms of how to make the tax system fairer. I think everybody would encourage that. I guess the real challenge is, how do we do that? I think again, like the Chairman of Management Board of Cabinet said, that is the difference between the two sides. There seems to be this feeling that some money can be taken out of a certain group of people who can afford to pay for it. I do not believe that, but if there is some group out there that is not paying fairly, I think everybody would like to see that happen, and it is going to be a big challenge.

When I say "no new taxes," what I am talking about is the average person, that man or woman who is going out there, working every day, who is barely making ends meet, who is finding it very tough to make ends meet. Those people—as I call them, the middle class, the average people out there in the province of Ontario—are the people who cannot afford any more tax burden.

Again, it was a pleasure to get a chance to speak on this important issue and we look forward to some further debates on this as we head into the new year.

The Deputy Speaker: Any further debate? The member for Mississauga West.

Mr Duignan: No, no.

Mr Mahoney: Groans and moans. We are here to earn our pay, I believe, and to speak to issues of concern on behalf of our constituents and on behalf of the people of this province. I think we all have a responsibility, I say to the members opposite, to do that whenever the opportunity arises, to put forward our particular philosophical point of view or perhaps a point of view that the minister would care to listen to. She might find some things of interest.

Before I do that, I would like to share particularly with the viewers at home a program that we are all doing jointly, I believe, and that my counterpart, the whip from the government, brought to my attention. It is something that this government is supporting and I would commend it for supporting it and recommending this to our caucus. I see

the former Attorney General looking at his watch and coming into—

Interjection.

Mr Mahoney: Not former anything.

This is a "tie one on for safety." It is a red ribbon that we have seen people tying on to their antennas to promote—

Interjection.

Mr Mahoney: It is "tie one on for safety" and it is to promote the concept that indeed we in this province should not drink and drive. I think it is a very commendable program and I will be recommending it to all of my colleagues. It is particularly important when we talk about what this government is doing in different areas. It is a positive thing that they are doing from a promotional point of view.

But then you read the newspaper today—and I might not get the total support of my caucus colleagues in bringing up the issue—and 2,400 drunk driving cases have been dropped by the courts. The government, of course, would throw that back at the former government and say that we created the problem. The reality is that this government has known for some time that there is a serious problem in the court system. It is not something that was created in the last three years or even the last five years, but it is something that has been building for a number of years, dozens of years. In my area, in the region of Peel, which the former Attorney General would know a great deal about, we have very severe problems of overcrowding in the courts and not getting to the issues on time.

If you think about the difficulties, they are not simply difficulties that can be solved by throwing money at the issue. Because what can in fact happen is that a case may come up for a particular day and everybody is ready and prepared to go on that specific case, only to find out that there is a plea perhaps entered or a request for an adjournment due to legal counsel not being available or whatever. Therefore if that is granted, the courtroom would then sit empty for perhaps the balance of the day or even two days. Because you are not able to simply call somebody up and say: "Okay, get down here on your trial and get all your witnesses ready, the court is empty and it is time. We are going to hear this."

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Mr Speaker, I trust everyone is watching the numbers for quorum.

It is not a simple problem to solve and I respect that, but I do not think it has been addressed by the new Attorney General in any way whatsoever, and he is simply allowing all these cases to be thrown out because of time delays. I do not think that that is acceptable.

So when this government talks about this particular supply motion and what it is doing to pay its bills, it should be looking at issues like the justice system in this province as to what it is prepared to do—some remuneration for the judges, perhaps some more judges to deal with it. I believe there were some innovative suggestions out of the Attorney General's office in the past about portable courtrooms being attached to the permanent structures,

night sittings, perhaps even some weekend sittings, things of that nature, working with the judiciary to attempt to resolve this problem.

That is only one example, and I do not wish to dwell at any great length, but I could not help but bring it to mind when I saw the promotion that the NDP government is encouraging. I should in fairness say that this is a red ribbon project sponsored by some very good corporate citizens in our province: Shoppers Drug Mart, Allstate Insurance—far be it from the NDP government to be involved with Allstate Insurance—and the other one, my glasses—the Ontario Association—I cannot read it, but maybe the former minister can read it, I am not sure.

There is some co-operation between the private sector and the government in the red ribbon project. I would encourage all members, if they do not already have their red ribbons, to get them and to put them on and, at the same time, think of the impact that is going on in the courtrooms when they do not have the attention being paid to that serious problem that we face.

In looking at the motion, I want to talk a little bit about the very early record of this government and what in fact has happened. I do not want to be unfair, because I believe that the people of Ontario—I ask the members to bear with me, it will be okay—gave a mandate to the NDP government, to the Premier and to all of them to come here. Well, it might have been an accidental mandate, but it was a mandate and we have to accept that. I, for one, have come to the conclusion that I am willing to accept it and allow them to get on with the very important job of governing this province. But I am curious when they are going to get started with some of their issues, because up to now what they have been doing really is simply introducing, for the most part, Liberal legislation that we brought on stream.

Mr Scott: They've broken 8 or 10 promises already.

Mr Mahoney: Oh, it is more than that, I am sure. Eight or 10? I think we have a meter that is counting them. The meter is running and it is not only a matter of broken promises, it is ignoring promises that were put forward in the Agenda for People.

So I wanted to examine it. Of course, we had a long debate on Bill 1 and I have no intention of regurgitating all of the debate that took place, but just to remind the public and members that indeed there were promises of a tax revolt that were being talked about by all of the members, particularly the new members who came in, because they would have got all their dogma from central campaign headquarters, which I think was upstairs, even though it was not supposed to be. They would have got all that information from campaign central.

It would have told them: "Get out there and tell them you are going to lead a tax revolt. Tell them you are a champion of the people and you are just not going to take it any more." That is what they would have done. We talked about "the Reverend," who is not here. I know he is probably watching if he is not here. Maybe he will come in. We talked about how he was arrested at Temagami and how he was going to—I think the term was "chain himself

to the Peace Tower" to lead this revolt. But none of that indeed happened.

We had the debate on Bill 1. There was no revolt. They simply bought into Mulroney's philosophy of how this country should be run, and did so somewhat unabashedly, I might say to the member for Oxford, who surprised me with his youthful exuberance. I would have thought there would have at least been one member in that group of trained seals who would have stood up and said to the Premier: "I'm not going to go for this. I told my people that I was going to lead a revolt. I told Charlie Tatham down in Oxford that I was going to lead a revolt. And I have to go back and see them at Christmastime," if we ever get out of this place, which is possible; but it is also possible that we will not. "I told my people that I was going to lead a revolt."

Why do we not tell them the reason why? About what their Premier is doing and how their Premier is not following the normal traditions. I have no difficulty with that. I think their Premier is being extremely unfair to them and to every member of this Legislature.

Mr Sutherland: Tell us how.

Mr Mahoney: I will. I am going to get to that. The member can trust me. I told them before I am no longer with the government.

Interjection.

Mr Mahoney: Mr Speaker, to the minister, I do not order the way in which she structures her somewhat unacceptable responses. I sat here today and listened to the minister tell this House how wonderful she is and what a great job she is doing. I was quite impressed. I asked the Premier if I could have a copy of her curriculum vitae, because I could not quite believe that anyone was really doing a job that well, particularly a new member. But if she is comfortable that she is doing the job that well, I am willing to accept that. I have no difficulty with that. So I will come to that point in the speech, she can rest assured. I seem to recall other members on this side of the House, from her party, making very similar comments in speeches in past years and I recall our government and previous governments living up to the tradition in this Legislature.

I wanted to go back if I could to some of the success—

Hon Ms Lankin: Why didn't your leader raise the problem when your leader talked to him two weeks ago?

Mr Mahoney: I know the member wants to go Christmas shopping. I understand that. Well, I am prepared to tell the public that the reason I am here is to do my job. I do not know why the member is here, but I am here to do my job.

Mr Hayes: You weren't here last night; where were you last night?

Mr Mahoney: Oh, I was here. I was working. The member does not have to worry.

Mr Hayes: You had your party last night.

Mr Mahoney: Yes, we had a Christmas party. I do not think there is anything—I was Santa Claus as a matter of fact. I thought I did a terrific job as Santa Claus. We had some fun, you know, but that is fine.

Hon Ms Lankin: So you weren't here working then. Interesting.

Mr Mahoney: I do not know why the members are upset about being here doing what the taxpayers of this province pay them for.

Hon Ms Lankin: It's the reason you want to rip the taxpayers off. Tell them the truth.

Mr Mahoney: Oh, rip them off. Is that what the minister thinks? I think she is a little confused.

I want to go back to some of the issues on the record of the government, because what we have done is we have come in here, as I have said, willing to give it an opportunity to sort of learn its way, to deal with issues that are of concern. What have we had? We have had members placing newspaper ads improperly in newspapers. We have had improper use of vehicles and chauffeurs. We know all about that. We have had improper signage being put up. We have had a lot of mistakes that the Speaker has had to send letters out and get corrected. We have had some very, very unfortunate situations.

When their members were sitting here in opposition they were very anxious to jump all over anybody who even moved in the slightest inappropriate way. In fact I personally was subjected to some of the most outrageous accusations, for which the now Premier had to stand up in the Legislature and apologize and withdraw the remarks. Let me tell members, they were comments at the time that no member of this Legislature should ever be put through.

I find it fascinating to sit here now and listen to the desire for a kinder, gentler place by that gentleman and others, others who had no intention of making this a kinder, gentler place until they were all of sudden on the hook and all of a sudden in the position of being in the government. So I find it a very, very two-faced, shall we say, approach to the principle of being in this somewhat insane business of politics from time to time. And I find it interesting to hear the howls when accusations are put forward from the government benches. They do not come from the new members, because those guys do not know what is going on yet. They think they do. They get their orders at caucus on Tuesday morning and they think they know what is going on, but they really do not know what is going on, and one of these days they are going to wake up and find that out.

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The howls and the indignation come right from the front benches. Fascinating. The same people who were willing to crawl into the gutter at any length to put forward a concern. Whether it was true or not, it did not matter. Truth was not something that seemed to concern anyone when the NDP was in opposition. There were countless examples of that; I will not go on about that.

But what they have really done is, they have brought forward bills and issues that were really part of the Liberal agenda, and I have not seen any of the New Democratic Party's philosophy. Those guys are going to go back, as we have talked about before, to explain to their people. We should understand what is going on, what the situation is.

There might be a high-powered meeting about to take place. They are going to try to make a deal, are they? That is good, that is interesting.

The situation that is going on is, we have Mississauga News Christmas bureau fund every year in Mississauga. They have a telethon and they raise money for needy families. Even though I represent a riding that is considered fairly affluent, the reality is that everywhere in this province today we have poverty and we have kids who are going to wake up on Christmas morning and have nothing in the stocking and nothing under the tree. That is the reality of life in Ontario.

Mr Jackson: What do you know about life?

Mr Mahoney: What do I know about life? Well, the member might be surprised to find out what I know about life. The Mississauga News Christmas bureau fund came up short this year. Originally its goal was \$200,000, and I believe the fund wound up with about \$140,000. It is our sincere hope, and I would make a public plea to anyone in Mississauga, that by the time Christmas rolls around the fund will again top the \$200,000 mark. It is the first time in many, many years, maybe the first time ever, that the fund did not reach its stated goal.

What does that tell us? I cannot stand here and blame the NDP government for something like that, obviously. It is a sign of the times though, and when looking at the sign of the times we should understand the economic impact that is going on out there. We should understand when we read headlines like, "Ontario Bankruptcy Soars." We should have understood when we heard the member for Wilson Heights this afternoon in question period quoting the lack of confidence that the investment community is seeing and showing in Ontario. We should understand that people are frightened, they are uncertain, they do not know what those guys are going to do.

Mr Hayes: Yes, but they knew what you were going to do.

Mr Mahoney: They were investing in this economy in the last five years, and we had unprecedented economic growth in this province. The member is darned right they knew what we were going to do, because we communicated with them.

Mr Hayes: I have a plan.

Mr Mahoney: Those guys are so hung up on this nonsense. What happened to the tax revolt? They should not talk to me about plans. Why are they still fighting? David Peterson lost. I mean, it is really quite interesting. I do not understand why they are upset, except I know that they want to go Christmas shopping. I think that is it. I have admitted they won the election, but I won too and so did a lot of my colleagues.

Mr Hope: Yes, we see they are all here.

Mr Mahoney: They are around—the member should not worry about it—and it is his job to keep going. He is in the government. He should learn his responsibilities, learn his job. He has got an iron lady for a whip.

Interjection.

Mr Mahoney: Why does he not undo a couple of those buttons? He looks like he is going to burst in that thing. Did he put all that weight on since he came here?

Mr Bisson: There is a bit of help in that water.

Mr Mahoney: What? He gives me warm water. What a guy. Is that not a typical NDP trick, eh? Anyway, that is fine. I do not need the water. I can go for a long time. I could go for days. We saw the now Minister of Consumer and Commercial Relations over there go for 17 hours and set a record. If we get cooking over here, I will tell the members opposite they had better phone home—I told them before—and tell the kids, “Give mum a kiss under the mistletoe, because that is about all that is coming home this Christmas.”

The Chairman of Management Board, who left, has got herself all bent out of shape because we are sitting here and she does not like the reason. Well, that is just too bad. She should learn the realities of life in this place. The realities are that we have responsibilities to debate all the motions that the government puts forward. I am glad it is upsetting them that we are taking advantage of that democratic responsibility—nice to see the member for York East—to put forward our concerns so that the people of Ontario back in all of their ridings—I am talking to the people in Mississauga West, but I am also talking to the people from Scarborough East and St Catharines-Brock, formerly held by a very, very close friend, Mike Deitsch, and now held by Christel Haeck. We are talking to the people in St Catharines-Brock and Sault Ste Marie, my home town, and Sudbury and Parry Sound.

Mr Klopp: On a point of order, Mr Speaker: Two points maybe, I guess. Number one, I understand we are not supposed to use names of members. We are supposed to use their seat name where their constituency is, correct? I believe he has mentioned a few names. Christel Haeck was one of them. I do not know where she is from or anything, but I have heard that name. I do not believe that is a riding.

Number two, what bill are we talking about that he is speaking to?

Interjections.

Mr Klopp: I am new, but he told me to learn.

The Speaker: That is how we learn, by asking questions.

We are dealing with what is commonly known as a supply motion and there is a fair bit of latitude permitted in making remarks on a supply motion. The member, however, does raise a valid point about referring to people by the ridings which they represent or the positions which they hold in the Legislature.

Mr Ramsay: I think an apology is in order.

Mr Mahoney: It is. At least 10 minutes to apologize for that error.

Mr Speaker, if I can address your point of order, I do not know how else one would refer to the individual. What I said was that I am speaking to the people in other ridings such as St Catharines-Brock, which was formerly held by Michael Dietsch and is now held by Christel Haeck. How

else could you say that? I said it was the member for St Catharines-Brock. She does have a name. What could I say, “Formerly held by Mike Dietsch but now held by that lady over there”? I do not think that would be very complimentary. So I think it would be important, probably important to her family, that they know who I am talking about. They might not know the name of her riding; I am not sure.

Ms Haeck: They recognize me.

Mr Mahoney: So with respect, Mr Speaker, I do not think it was out of order. I am willing to accept your learned ruling.

The Speaker: I did not say it was out of order.

Mr Mahoney: I just did not want the member getting all excited thinking he had won a point of order. He would probably put it in his householder mailing or something and tell everyone that he actually got up and won a point of order.

Mr Ramsay: The member for Huron.

Mr Mahoney: The member for Huron. Who was the former member for Huron? Jack Riddell. Good old Jack. It is nice to see this member here. I do not think it was a point of order, but it was a nice try.

Anyway, the motion we are speaking to is the supply motion. If the member understands the procedures in this place and how things work around here, it is quite normal. It is probably not normal that we continually go past 6 o'clock, but the member asks about why we are here past 6 o'clock.

Let me just go back, because I think it was pointed out earlier that if this government had got its act together and come back into the Legislature perhaps a month earlier than it did, we would not have needed to go to midnight sittings at all. We would not have needed to go to midnight sittings if these people had co-operated with the opposition parties. We were quite willing to come back earlier. We are very agreeable people. We would have been delighted to come back earlier and get down to the business of governing this province. The government did not want to, so all this legislation piles up, all this good Liberal legislation that those guys decided they wanted to pass. So here we are in the midnight sessions.

2010

Just so that members understand, the tradition is that when a supply motion comes in, that dictates what we really talk about. I think the figure was \$14 billion that the Treasurer is going to pay out. Would that be close to correct; he is going to pay out \$14 billion of taxpayers' money? We recognize that the \$14 billion goes out through all the different ministries and departments in the province. Therefore, this allows the members to talk about virtually the entire aspect of government; every department. There are no strings holding us back.

The whip is holding the NDP back. I can appreciate that. It is nice to see the Iron Lady this evening. She is holding them back. I can understand that. I understand, as the chief opposition whip, what it is like to try to hold rowdies back. I do not have any rowdies, though. That is the difference.

Hon Ms Lankin: You don't have anybody on that side right now.

Mr Mahoney: We have some folks here. There are some members. The member for London North has decided to cross the floor laterally.

We have the entire latitude of the province. We have freedom—it is wonderful—to speak about just about anything we want to speak about. I want to speak for just a short moment about standards.

Hon Mr Kormos: You are no expert on standards.

Mr Mahoney: Let me tell the minister something. I understand standards, because as I mentioned earlier I have gone through the slings and arrows of false accusations. I have suffered, and my family has suffered, with the nonsense that the former Leader of the Opposition tried to hurl around this place. I understand that. I was only after vindicated hiring a lawyer and paying \$7,500 and getting this guy to make an apology, which we wrote. That is the only way I was vindicated.

Hon Mr Kormos: Name the lawyer.

Mr Mahoney: Name names? That is not important. What does that matter? Does he need one? He may. I would suggest he keep his head up.

I asked the Premier: "Are you prepared to tell us about your standards? What they are?" He said he was going to bring something in, and now he has brought in some guidelines. It is not even legislation. These poor guys have to sell their businesses; they have to sell the wheelbarrows and the shovels. I do not understand this. The Minister of Tourism and Recreation has to sell his business. That is utter nonsense. What the Premier is really saying is that somebody who is in a small business cannot be a member of his cabinet. That is nonsense, frankly.

I understand that there is a certain amount of paranoia, which I can certainly understand. Uncle Bobby does not even know three quarters of those guys, so he has to bring in some really strict regulations.

Mr Sutherland: Who?

Mr Mahoney: Come on now. I say to the member for Oxford, be nice.

I just find that the whole issue of standards, the whole issue of conflicts, is something that these people are obviously having a great deal of trouble dealing with, and they are fumbling with it.

Hon Mr Kormos: Talk about Patti Starr.

Mr Mahoney: I did not even know her. I did not even know her, as a matter of fact, I say to the guy with the—are those cowboy boots leather?

Mr Malkowski: Is this your idea of process?

Mr Mahoney: I am sorry, I did not hear that. I would like to hear the heckling from the member for York East. I did not hear it. Did you hear it, Mr Speaker? I missed a good heckle. I will have to get Hansard tomorrow and see if I can find it.

One of the issues that is of great concern as we talk about paying the bills around this place is the level of confidence that the signals have created. We have a funny

situation in this House, Mr Speaker, and you have already noticed that sometimes—

Interjections.

Mr Mahoney: Boy, they are a lively bunch tonight, are they not? I am attempting to address my remarks to you, Mr Speaker. I do not know why they are getting so exercised.

Interjection.

Mr Mahoney: What was that? You will have to speak up if you want to be good hecklers, like Mr Ballinger, who used to sit over there. He just let everybody have it. You have to project a little bit in this business. Please speak up a little when you are throwing these things out.

My concern is the signals that have been sent by bringing in bills and then making them retroactive. Bill 4 is going out to committee and we are going to discuss the retroactivity of Bill 4, but what kind of message does that send and why did the member for Wilson Heights have to stand up and ask the Premier today about why people are losing confidence in investing in this province? Believe me, those guys might not believe it, but people are losing confidence in investing in this province. I fear very gravely for the economic future of this province because I do not see anything being done by this government to attempt to reverse this.

Here comes the honourable Leader of the Opposition. It is nice to see him. I am just wondering if he is coming to give me the hook. It is possible. He should have a seat. Would he like some water? Is there anything else that we can get for him?

Mr Nixon: I guess that is enough of that.

Mr Mahoney: Members can tell why we only made him interim leader. I am shattered, believe me. Members can tell that I am easily upset about stuff like that. I have totally lost my concentration and I guess, as I said the other day, I had better start over. I had better go back to the beginning and start over. What time is it?

The signal that is being sent by this government is not one of confidence. It is not one of competence, frankly. It is one of consultation, a little bit. It is freezes. It is: "We're going to look at things. We're not going to do what we said we were going to do. In fact, we don't think we can do what we said we were going to do." That is basically the message that is coming across to the people out there. As I told the members before, those guys way up there in the clouds, all over there, way up there, those guys are going to have to explain all of this.

Even the Chairman of Management Board—the Chair, the Chairperson, pardon me—even the Chair of Management Board is going to have to explain to the Ontario Public Service Employees Union and to Leo and Bob and all the boys and girls in the labour movement, why they are not doing what they said they were going to do. Those people are already saying that the members are ignoring them; they admitted that today in question period. It must be frustrating to be told by these people who put them where they are today that they are disappointed that they are not doing what they said they were going to do.

That is a job that will get tougher and tougher as time goes on. As they get closer to the next election, do they remember what I told them the first time I talked to them? I say to the member for Oxford and others, look to your right and look to your left, because those guys will not be here next time. Remember that and remember to look in the mirror, because that person might not be here next time either.

The fact is that they are going to have to go and explain why they have not done what they said they were going to do. I know that is difficult because—sure, I will admit it—we did not do everything we said we were going to do. But we sure did most of what we said we were going to do.

Mr Klopp: And look at what happened.

Mr Mahoney: So now their approach is not to do it because of what happened. I see. So what they want is simply get re-elected again. They do not care about the Agenda for People. They do not care about the province of Ontario. They do not care about the fact that there are actually people losing confidence in investing in this province. That does not worry them, probably because they do not understand the impact of it. But it is very severe.

2020

The retroactivity in bills has sent a message to the investors in this province that says they are simply not going to invest any more. Look, I do not like the ad that group put in the New York paper any more than the government does. I thought it was irresponsible. But the fact is, they did it. What drove them, normally sensible people, to do such a ridiculous thing?

Mr Owens: It depends on your frame of reference for “sensible.”

Mr Mahoney: Oh, sure. I do not agree with some of the people the member would think are sensible, I can assure him of that.

What drove them to that was the fear that those guys can come along and say: “We don’t care what the rules were on 1 October; this is now December 19. We’re going to change them retroactively. What you’ve been doing for the last couple of months doesn’t matter to us.” That is close to being dishonest. It really is. No one gave them a mandate to do that, yet they simply came along and did it.

What was the answer from the Minister of Housing? I watched with great interest when the Minister of Housing simply said: “Well, somebody’s going to get hurt, and those are the breaks. That’s the way it is.” There was no concern about the jobs lost or about the fact that there are now thousands of people who will be sitting at home waiting for Christmas to come knowing they cannot buy anything for their children or their spouse because they are out of work. It is not fair, and those guys caused it.

What do they do? They come back and say flippantly, “It doesn’t matter; somebody has to get hurt and those are the breaks.” We were always being accused of being arrogant, but that is outrageous.

The bill has to go to committee, and when it goes to committee we are going to see changes. Believe me, unless

they decide to hammer us, which with their large, arrogant, socialist hordes they can do, if that is what they want to do—

Interjections.

Mr Mahoney: What is the matter? The member wants to go shopping. What is he going to buy me? I will make a deal. He can buy me the same as he got me last year, but this year I want him to wrap it. We will see. Maybe we will make that arrangement.

I am not finished, though. The member would not want me to leave the speech unfinished. What would my mother-in-law say? I cannot leave it unfinished. I have to sort of get up to the climax and then sort of go down and finish it off.

Interjections.

Mr Mahoney: Oh, come on, the members are enjoying themselves. They have to face facts. What were they doing just three or four months ago? Give me a break. What were they doing three or four months ago, I say to the member for St Catharines-Brock? Was she maybe living in the United States back then? There was some confusion about that. What were the members doing? I think some of them were maybe even still in school. I do not know. Some of them were in school, I say to the member for Oxford, King Kimble.

Interjection.

Mr Mahoney: I was careful.

Here he is in the Legislature, one of 130 people having the privilege and the honour of representing the nine million or so Ontarians. It is truly a remarkable world. We almost had a Mississauga businessman elected president of Poland, for goodness’ sake. We have had some really rather remarkable things take place, and here they are, I think doing fairly well—the back bench anyway. I am quite impressed with the back bench.

Mr White: You should be.

Mr Mahoney: I am. I say to the member for Durham Centre, when I first saw the name of the member I thought it was his riding; I was not sure: “The member for Drummond White.” I did not know if we had such a riding.

I am quite impressed with how the backbenchers are being obedient and how the whip has them under control. As I said before, they are clapping on cue and they are spouting the party line, but they do not know what is going on. They told them that before, which is proof, because I have talked to a number of them. The Chair of Management Board is all upset about the fact that we are here late and I guess they have gone running to her saying, “Can’t we do something about this very unfortunate situation?” Obviously, the Chair of Management Board does not have the authority that the Chair of Management Board had when we were the government. In any event, the problem cannot be solved. C’est la vie. Life goes on.

I am quite impressed at the esprit de corps. I guess the real reason for it is that they have not had the pain of getting beaten up in their ridings yet. People still think they are really neat. “Holy cow, gosh, golly, wow. How did you

ever become a member of provincial Parliament, Christel? How did that ever happen?"

Mr Fletcher: You gave it to us.

Mr Mahoney: We probably did, actually. You are probably right. We handed it to you on a silver platter, because the public were fed up with a certain fellow in Ottawa. They were fed up and they wanted to bash him. We were the first ones they could sort of get their hands on, so they bashed us. That is sort of the breaks, I guess. That is political reality. But here we are.

One of the things that has really upset me too is the abuse of the process. Let me use the example of Bill 18, which is not even a bill any more. It was a bill. It was going to be introduced as a private member's resolution, then it was going to be introduced on Thursday morning, then it was going to be introduced as a private member's resolution in government business time, then that changed and they said, "Now we'll introduce it as government legislation in government time and we'll turf out the private member's resolution." Then that changed and now it has come back to tomorrow morning. It is back to being a private member's resolution dealing with the demolition of what I believe is a substantial city block in London of what some people consider to be historical buildings and other people consider to be in need of being torn down, I guess.

I am not concerned at this stage, nor am I fully aware of the implications on the issue of whether or not they are indeed historical buildings, although I think that is something that is vitally important. In most municipalities they have either local architectural conservation advisory committees, LACAC for short, or things of that nature, which indeed would advise city council on whether or not the buildings had some significance to require designation as historical structures.

An hon member: Speak to the resolution.

Mr Mahoney: I am. If I could remind the member who said "Speak to the resolution," I think I am speaking fully to the resolution, because we are talking about all the government of all the people. So it involves the issue that we are going to deal with tomorrow.

What bothers me, though, is that it seems like if we have to break the rules, we will break the rules. We will just sort of twist things around. We will pass the resolution here, we will put it over here, we will do this, we will do that, which is just playing games. What it really amounts to is lack of respect for Parliament, for this place. That is what it amounts to. It amounts to not even caring about traditions, which is one of the reasons why we are here late, because the Premier does not care about traditions and does not live up to normal obligations of this Legislature. That is why we are here.

Mr Sutherland: On a point of order, Mr Speaker: The honourable member has said that we do not have any respect for the traditions of this House, and I take that as an impugning of my rights as a member. I feel that I do have a great deal of respect for the traditions of this House. I feel my fellow members in my government caucus do,

and I would ask you to have the member retract that statement.

The Speaker: I am sure there is not a member of the assembly who wishes in any way to disturb 700 years of parliamentary tradition, at least not this evening. Perhaps the member for Mississauga West can continue.

Mr Cousens: Sit down. We've had enough of your filibustering.

2030

Mr Mahoney: I have sat here for the last three-plus years and listened to the honourable gentleman from Markham speak at length on nothing. At least I am addressing some issues here. With respect, I would invite him, if he does not wish to listen, to leave this place. There is no problem. Why does he not do so and I will continue, with his blessing.

I believe that I was talking about parliamentary traditions and about the significance of respecting those traditions. The member for Oxford rudely, or not so rudely, interrupted me on a point of order. I do not believe it was a point of order, but my point is very simple, that there are ways we do things around here in a non-partisan fashion that has no impact on partisan issues.

Frankly, I do not know why we have to come down to these last minute, panic-type changes to whatever legislation is involved. It is a little disturbing. I recognize that the honourable House leader is new in her job, and in my opinion is doing an excellent job as the House leader for her government, but there are lots of professional staff who have been doing this for years and who understand the process. Where are they? Why are they not giving the proper advice so that the members can make the proper decisions? Instead, we come scrambling in here, on again, off again, with Bill 118. Now it is a bill, now it is not. Now it is a resolution, now it is a bill. We have to waive the rights. We have to change the rules. It is absolute nonsense and it is not necessary.

I want to just take a couple of minutes to talk to the issue of what happens now, if and when we ever adjourn this place, which is yet to be determined.

It is nice to see the member for Brampton North.

Mr McClelland: There's still hope.

Mr Mahoney: He can go over there and help, or he can sit up there and heckle if he wants. I do not mind. I am used to getting it in the back.

What happens now? Now they get a break for Christmas and they go home and they sort of try to defend what has happened down here. They try to explain why the Premier is doing certain things, or why the Minister of Health is doing certain things or not doing certain things or shouting that people should find their own creative ways to pay for very important programs and getting upset in the House, after having a very lovely first couple of weeks, I thought.

They are going to have to explain why these things have happened and why there has been some perhaps pending tragedy that I will not go into. I sincerely say that I hope that is not the result of what happened today, because the honourable gentleman in question is indeed an

honourable gentleman and one of the finest members. But they are going to have to explain all of this to their people. Do they know what they are going to say? They are going to say: "We thought you guys were different. How come you don't look any different?"

Mr Owens: Because we are human beings.

Mr Mahoney: Oh, I see. They are human beings. That is not what they said to us when they were over here. I heard words like "sleazy." I would not use that type of language. I say to the Minister of Education that I would not use that kind of language—even out there I would not use that kind of language—in talking about someone I respected as a colleague. Members have to understand one thing, that no matter what we think of each other, we all have a common bond. We were all elected to serve the people of this province in varying roles and various capacities and in my opinion we have no right to use terms like that about each other or about people coming before our committees. Yet I heard it time and time again from this side of the House when those guys—not the minister, but many of her colleagues—sat over here.

I referred to the false accusations and to the charges that were put forward. It was really quite an unpleasant time in what they now want to be a kinder, gentler place. I do not know that the member needs to quote the rules to me, but if he would like to stand up on a point of order I am sure the Speaker would entertain it.

What happens now is that the members go home to their spouses and their families and their children or whatever, and they have a bit of a rest and then they are right back at it in committee on 14 January. They are going to travel around the province and they are going to get to know us and we them more as we travel on some of these committees to go out and find out what the people really think about what the government is doing, how the people feel about its somewhat arrogant approach to certain bills that it is putting forward.

I will retract that. It is not somewhat arrogant; it is totally arrogant.

Mr Owens: Thank you for the clarification.

Mr Mahoney: Well, it is. The members are coming in here smug, "We won the election, la-de-da," when in reality they have a job to do. I do not see them doing the job and the people of this province do not see them doing it. They are going to start asking them about it. The government is going to have education bills going out to committee.

Interjection.

Mr Mahoney: Is that a hook in his hand too?

The school boards are going to say, "How much money did you guys promise you would give us for capital if you formed the government?" What was it? A couple of billion, plus or minus? Something like that. A couple of billion in addition to the \$1.5 billion that the Liberal government gave them over the five-year period at \$300 million a year. In addition to that, this government was going to come up with some cash cow and it was going to put all of this money into building new schools in the new high-growth communities.

Now we cannot even get an answer on the transfer payment. I am curious. Did they walk into the ministry and fire everybody? I do not think so. The same people are there. The school boards have done their jobs. They have submitted their October documents. They have asked the government to follow the process that has been followed traditionally in this province. What has the government done? It has said: "We can't tell you what we're going to do. It will be January, maybe February, we're not sure. We don't know how much."

The Treasurer is sitting there squirming, knowing what a serious—he is not the Treasurer, but when he is sitting there he is squirming. When the Treasurer is sitting there—

Mrs Sullivan: He's from Hamilton. He should be squirming.

Mr Mahoney: Yes, he is from Hamilton. He is in big trouble. I think he is out trying to find some money for an expressway, or maybe he is having a meeting somewhere. Does the member think that is possible? What day is this? Is it Friday? No, it is not. He would not be in a meeting.

Those people are going to say: "Where are the transfer payments that we would normally get? How about at least giving us the \$300 million now? How about at least doing that, or are you going to pull that back?" They would say to the government, with respect, "We won't even worry about the stuff you promised us because we know it's very unlikely that you are going to be able to deliver on those promises, so how about just giving us what we have planned on?"

They have planned on this. We gave it to them so they could issue debentures. They have commitments. There are some school boards that are running deficits. They have commitments. And what do they get? "We're going to consult." It is a form of freeze. They are being ignored.

Mrs Sullivan: It's a pause.

Mr Mahoney: It is a pause, but it does not refresh.

I hope the minister is aggressive in cabinet and I wish her well. Representing a riding of very many new communities, young families, many kids, as I do, we desperately need money for new schools, as I am sure she knows. The separate school board desperately needs more money and so does the public board.

I hope that the minister is strong in cabinet and that the Minister of Financial Institutions does not bully her or that the Minister of Transportation does not come along and say, "I need more money" to do this or that, and therefore schools suffer, because she has priorities and decisions she has to make. On behalf of the five major districts that require about 90% or 95% of the capital dollars every year—

2040

Mr Scott: Could you expand just a little bit? Just go by it again.

Mr Mahoney: The five major regions, of course, in the greater Toronto area that require 95% of the capital dollars, spent in the region of Peel, in the region of York, in Durham. I have lost one. Which one have I lost? I know Durham Centre is over there. In any event, there are five of

them. Halton. Why did the members not tell me it was Halton? The region of Halton needs money for schools. I hope the minister will fight hard at the cabinet table to ensure that those people are not neglected.

Members will be delighted to know that I am close to wrapping up.

An hon member: I thought you were just getting started on that speech.

Mr Mahoney: I could just be getting started.

Mr Scott: You're making headway. Carry on.

Mr Mahoney: I did not say how long it would take me to wrap up. I said I was about to start sort of in that direction.

An hon member: Oh no, say it ain't so.

Mr Mahoney: All right, I will go longer, by popular request.

Mr Scott: Don't overdo it, but a couple of us requested.

Mr Mahoney: I know there are others who would like to join the debate, but I guess the bottom line of this motion by the Treasurer, the resolution that he be authorized to pay the salaries of the civil servants even though the Tories want them all fired, I think they said today—

Mr Cousens: That is not true.

Mr Mahoney: There was some remark by one of their members that he was after somebody's head. He had facts and figures but he did not have the documentation to back it up. He just stood up and said: "Somebody told me they shredded all of this information and I hear this guy has been spending money. I do not know if he was spending money." Pretty outrageous stuff to say in a place as hallowed as this.

Anyway, that he "be authorized to pay the salaries of the civil servants," not the salaries of the members, I say to the Chairman of Management Board, but that he "be authorized to pay the salaries of the civil servants and other necessary payments pending the voting of supply for the period commencing 1 January 1991 and ending 30 April 1991, such payments to be charged to the proper appropriation following the voting of supply," which we will likely get to voting on some time between Christmas and New Year's as things look at the moment.

I am pleased actually to speak in support of the Treasurer. I think it is important to understand that we recognize the fact that the government must go on, even if we are not exactly delighted with whose hands—

Mrs Sullivan: Are at the till.

Mr Mahoney: Are in control, or at the till, of the government. We at least recognize that those guys are in charge for the time being and therefore it is appropriate that we support our staff and our programs.

I was delighted, by the way. I must thank, if I can for just a moment, the Minister of Energy. I would like, Mr Speaker, to share with you. Of course, if we did not support supply then this probably could not take place. This is a letter to Ross Lawford, the president of ORTECH International in my riding. It says:

"On behalf of the Ministry of Energy, I am pleased to forward two cheques in the amount of \$50,000 and \$75,000. These two cheques represent the first and last payments on your projects entitled gaseous fuel injection system field evaluation and gaseous fuel injection computer system development, which are being funded under the EnerSearch program development.

"Congratulations on your efforts to improve energy efficiency."

That is from the minister. It is our program, of course, but the present minister is following through with that. I respect that and appreciate it, because it is a very important conversion program that will allow vehicles to have two different types of fuel in them and you can simply switch over with the flick of a switch, on the fly even. It will be very important for the conservation of energy. When you consider this in the overall picture of the world, with people like Saddam Hussein and others controlling much of our destiny, it is important that we look at these types of alternatives.

I suspect that these cheques might not clear the bank if we do not pass this supply motion. Dr Lawford would be upset and the Minister of Energy would be somewhat embarrassed. I would not want that to happen. I would find that to be very negative. So I am delighted actually to speak in support of this motion and to move the adjournment of the debate.

On motion by Mr Mahoney, the debate was adjourned.

The House adjourned at 2046.

ALPHABETICAL LIST OF MEMBERS

(130 seats)

First Session, 35th Parliament

Lieutenant Governor: Hon Lincoln M. Alexander, PC, QC

Name of member	Constituency	Party	Other responsibilities
Abel, Donald	Wentworth North	NDP	
Akande, Hon Zanana L.	St Andrew-St Patrick	NDP	Minister of Community and Social Services
Allen, Hon Richard	Hamilton West	NDP	Minister of Colleges and Universities, Minister of Skills Development
Arnott, Ted	Wellington	PC	
Beer, Charles	York North	Lib	
Bisson, Gilles	Cochrane South	NDP	Parliamentary assistant to the Minister of Mines, parliamentary assistant to the Minister of Northern Development
Boyd, Hon Marion	London Centre	NDP	Minister of Education
Bradley, James J.	St Catharines	Lib	
Brown, Michael A.	Algoma-Manitoulin	Lib	
Buchanan, Hon Elmer	Hastings-Peterborough	NDP	Minister of Agriculture and Food
Callahan, Robert V.	Brampton South	Lib	
Caplan, Elinor	Oriole	Lib	
Carr, Gary	Oakville South	PC	
Carter, Hon Jenny	Peterborough	NDP	Minister of Energy
Charlton, Brian A.	Hamilton Mountain	NDP	Parliamentary assistant to the Minister of Energy
Chiarelli, Robert	Ottawa West	Lib	
Christopherson, David	Hamilton Centre	NDP	Parliamentary assistant to the Minister of Economics
Churley, Marilyn	Riverdale	NDP	Parliamentary assistant to the Minister of the Environment
Cleary, John C.	Cornwall	Lib	
Conway, Sean G.	Renfrew North	Lib	
Cooke, Hon David S.	Windsor-Riverside	NDP	Minister of Housing, Minister of Municipal Affairs
Cooper, Mike	Kitchener-Wilmot	NDP	
Coppen, Hon Shirley	Niagara South	NDP	Minister without Portfolio, Chief government whip
Cordiano, Joseph	Lawrence	Lib	
Cousens, W. Donald	Markham	PC	
Cunningham, Dianne E.	London North	PC	Chief whip
Curling, Alvin	Scarborough North	Lib	
Dadamo, George	Windsor-Sandwich	NDP	Parliamentary assistant to the Minister of Transportation
Daigeler, Hans	Nepean	Lib	
Drainville, Dennis	Victoria-Haliburton	NDP	Parliamentary assistant to the Minister of Citizenship
Duignan, Noel	Halton North	NDP	
Elston, Murray J.	Bruce	Lib	House leader
Eves, Ernie L.	Parry Sound	PC	House leader
Farnan, Hon Mike	Cambridge	NDP	Solicitor General, Minister of Correctional Services, minister responsible for the provincial anti-drug strategy
Fawcett, Joan M.	Northumberland	Lib	
Ferguson, Will	Kitchener	NDP	Parliamentary assistant to the Minister of Municipal Affairs
Fletcher, Derek	Guelph	NDP	Parliamentary assistant to the Minister of Consumer and Commercial Relations
Frankford, Robert	Scarborough East	NDP	Parliamentary assistant to the Minister of Health
Gigantes, Hon Evelyn	Ottawa Centre	NDP	Minister of Health
Grandmaitre, Bernard	Ottawa East	Lib	
Grier, Hon Ruth A.	Etobicoke-Lakeshore	NDP	Minister of the Environment
Haeck, Christel	St Catharines-Brock	NDP	Parliamentary assistant to the Minister of Colleges and Universities
Hampton, Hon Howard	Rainy River	NDP	Attorney General
Hansen, Ron	Lincoln	NDP	

Name of member	Constituency	Party	Other responsibilities
Harnick, Charles	Willowdale	PC	
Harrington, Margaret H.	Niagara Falls	NDP	Parliamentary assistant to the Minister of Housing
Harris, Michael D.	Nipissing	PC	Leader of the Progressive Conservative Party
Haslam, Karen	Perth	NDP	First Deputy Chair of the Committee of the Whole House
Hayes, Pat	Essex-Kent	NDP	Parliamentary assistant to the Minister of Agriculture and Food
Henderson, D. James	Etobicoke-Humber	Lib	
Hope, Randy R.	Chatham-Kent	NDP	Parliamentary assistant to the Minister of Community and Social Services
Huget, Bob	Sarnia	NDP	
Jackson, Cameron	Burlington South	PC	
Jamison, Norman	Norfolk	NDP	Parliamentary assistant to the Minister of Industry, Trade and Technology
Johnson, Paul R.	Prince Edward-Lennox-South Hastings	NDP	Parliamentary assistant to the Chairman of the Management Board of Cabinet
Jordan, Leo	Lanark-Renfrew	PC	
Klopp, Paul	Huron	NDP	Parliamentary assistant to the Minister of Agriculture and Food
Kormos, Hon Peter	Welland-Thorold	NDP	Minister of Consumer and Commercial Relations, Minister of Financial Institutions
Kwinter, Monte	Wilson Heights	Lib	
Lankin, Hon Frances	Beaches-Woodbine	NDP	Minister of Government Services, Chairman of the Management Board of Cabinet
Laughren, Hon Floyd	Nickel Belt	NDP	Deputy Premier, Treasurer of Ontario and Minister of Economics
Lessard, Wayne	Windsor-Walkerville	NDP	Parliamentary assistant to the Minister of Financial Institutions
MacKenzie, Hon Bob	Hamilton East	NDP	Minister of Labour
MacKinnon, Ellen	Lambton	NDP	
Mahoney, Steven W.	Mississauga West	Lib	Chief whip
Malkowski, Gary	York East	NDP	Parliamentary assistant to the Minister of Citizenship
Mammoliti, George	Yorkview	NDP	Parliamentary assistant to the minister responsible for the provincial anti-drug strategy
Mancini, Remo	Essex South	Lib	
Marchese, Hon Rosario	Fort York	NDP	Minister of Culture and Communications
Marland, Margaret	Mississauga South	PC	
Martel, Hon Shelley	Sudbury East	NDP	Minister of Northern Development, government House leader
Martin, Tony	Sault Ste Marie	NDP	Parliamentary assistant to the Minister of Education
Mathysen, Irene	Middlesex	NDP	
McClelland, Carman	Brampton North	Lib	
McGuinty, Dalton	Ottawa South	Lib	
McLean, Allan K.	Simcoe East	PC	
McLeod, Lyn	Fort William	Lib	
Miclash, Frank	Kenora	Lib	
Mills, Gordon	Durham East	NDP	
Morin, Gilles E.	Carleton East	Lib	Parliamentary assistant to the Solicitor General
Morrow, Mark	Wentworth East	NDP	Deputy Speaker, Chair of the Committee of the Whole House
Murdoch, Bill	Grey	PC	
Murdock, Sharon	Sudbury	NDP	Parliamentary assistant to the Minister of Labour
Nixon, Robert F.	Brant-Haldimand	Lib	Leader of the Official Opposition
North, Hon Peter	Elgin	NDP	Minister of Tourism and Recreation
O'Connor, Lawrence	Durham-York	NDP	Parliamentary assistant to the Minister of the Environment
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O'Neil, Hugh P.	Quinte	Lib	
O'Neill, Yvonne	Ottawa Rideau	Lib	
Owens, Stephen	Scarborough Centre	NDP	
Perruzza, Anthony	Downsview	NDP	Parliamentary assistant to the Minister of Revenue
Philip, Hon Ed	Etobicoke-Rexdale	NDP	Minister of Transportation

Name of member	Constituency	Party	Other responsibilities
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Pilkey, Hon Allan	Oshawa	NDP	
Poirier, Jean	Prescott and Russell	Lib	
Poole, Dianne	Eglinton	Lib	Minister of Mines, minister responsible for francophone affairs Premier, Minister of Intergovernmental Affairs
Pouliot, Hon Gilles	Lake Nipigon	NDP	
Rae, Hon Bob	York South	NDP	
Ramsay, David	Timiskaming	Lib	Minister without Portfolio responsible for women's issues
Rizzo, Tony	Oakwood	Ind	
Runciman, Robert W.	Leeds-Grenville	PC	
Ruprecht, Tony	Parkdale	Lib	
Scott, Ian G.	St George-St David	Lib	
Silipo, Tony	Dovercourt	NDP	
Sola, John	Mississauga East	Lib	
Sorbara, Gregory S.	York Centre	Lib	
Sterling, Norman W.	Carleton	PC	
Stockwell, Chris	Etobicoke West	PC	
Sullivan, Barbara	Halton Centre	Lib	
Sutherland, Kimble	Oxford	NDP	
Swarbrick, Hon Anne	Scarborough West	NDP	
Tilson, David	Dufferin-Peel	PC	
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Villeneuve, Noble	Stormont, Dundas and Glengarry	PC	
Ward, Brad	Brantford	NDP	Second Deputy Chair of the Committee of the Whole House
Ward, Margery	Don Mills	NDP	Parliamentary assistant to the Minister of Skills Development
Wark-Martyn, Hon Shelley	Port Arthur	NDP	Parliamentary assistant to the Minister of Government Services
Warner, Hon David	Scarborough-Ellesmere	NDP	Minister of Revenue
Waters, Daniel	Muskoka-Georgian Bay	NDP	Speaker
Wessenger, Paul	Simcoe Centre	NDP	Parliamentary assistant to the Minister of Tourism and Recreation
White, Drummond	Durham Centre	NDP	Parliamentary assistant to the Attorney General
Wildman, Hon Bud	Algoma	NDP	Minister of Natural Resources, minister responsible for native affairs
Wilson, Fred	Frontenac-Addington	NDP	Parliamentary assistant to the Minister of Correctional Services
Wilson, Gary	Kingston and The Islands	NDP	Parliamentary assistant to the Minister of Culture and Communications
Wilson, Jim	Simcoe West	PC	Parliamentary assistant to the minister responsible for native affairs
Winninger, David	London South	NDP	
Wiseman, Jim	Durham West	NDP	Parliamentary assistant to the Minister of Natural Resources
Witmer, Elizabeth	Waterloo North	PC	
Wood, Len	Cochrane North	NDP	Minister of Citizenship, minister responsible for disabled persons, minister responsible for the Ontario Human Rights Commission, minister responsible for race relations, minister responsible for senior citizens' affairs
Ziemba, Hon Elaine	High Park-Swansea	NDP	

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Legislative Assembly of Ontario

First Session, 35th Parliament

Official Report of Debates (Hansard)

Thursday 20 December 1990

Assemblée législative de l'Ontario

Première session, 35^e législature

Journal des débats (Hansard)

Le jeudi 20 décembre 1990



Speaker
Honourable David Warner

Clerk
Claude L. DesRosiers

Président
L'honorable David Warner

Greffier
Claude L. DesRosiers

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LEGISLATIVE ASSEMBLY OF ONTARIO

Thursday 20 December 1990

The House met at 1000.

Prayers.

ORDERS OF THE DAY

PRIVATE MEMBERS' PUBLIC BUSINESS

INSURANCE AMENDMENT ACT, 1990

Mr Runciman moved second reading of Bill 20, An Act to amend the Insurance Act.

Mr Runciman: We have 25 minutes, I think, allocated to each party. Is that correct?

The Deputy Speaker: Pursuant to standing order 94(c)(i), the honourable member has 10 minutes for his presentation.

Mr Runciman: I only have 10 minutes initially and I will make some closing comments later on.

I proposed this legislation at this juncture because of our frustration as a party, the Progressive Conservative Party of Ontario, with the lack of action on the part of the new government in respect to the concerns of consumers across this province in relation to the no-fault auto insurance scheme brought in by the former government.

I am not going to talk at length about the actions of the former government; it is like kicking a dead horse. We did this at length earlier this year and prior to that, in the fall of 1989, and we know, as the New Democratic Party government knows, that this is bad legislation. Innocent accident victims are seriously impacted in a negative way by this legislation. There is one Ontarian injured in an automobile accident every five minutes in this province and many of those individuals are innocent.

We in this party, the Progressive Conservative Party of Ontario, believe very strongly in the ethic of responsibility, that individuals should be responsible for their own actions. We were certainly led to believe during the course of deliberation on Bill 68, the Liberal no-fault legislation, that the NDP, the opposition party at that point in time, shared those views.

We were witness to a display in this Legislature by the now Minister of Consumer and Commercial Relations and the Minister of Financial Institutions, the member for Welland-Thorold, the 17-hour filibuster in an effort to break a record in this Legislature, which he did. He was complimented and received significant publicity across the province for his efforts supposedly on behalf of innocent accident victims in Ontario.

Someone once said the secret to success is sincerity; once you can fake it, you have got it made. I hope that was not the case in respect to the member for Welland-Thorold. I want to say that we did indeed develop a friendship over that period of time dealing with Bill 68. We shared many of the same concerns about the no-fault legislation. But now this minister and this party have been in power for over two months and we are not seeing any action on what

at one point in time, not too many months ago, was their number one priority.

They were quite well prepared to hold up the business of this Legislature for weeks and days on end to try to get a change in this legislation, to have the Liberal government pull back. They did not succeed, but it was a noble effort which we shared with them. Now, once in power, they are doing absolutely nothing. When I have posed the question, when the Liberal critic has posed the question, the minister has stood on his feet and suggested that, "We have to consult, we have to talk things over with a variety of people across the province."

I want to say that the current Minister of Financial Institutions and myself toured this province in a significant consultative effort which the Liberal government of the day failed to pay heed to. But I thought the member for Welland-Thorold and myself, and the NDP and the Conservative Party, had indeed listened to what was being said at those hearings right across this province. Over 75% of the witnesses appearing before us were very strongly opposed to the Liberal no-fault legislation, very strongly opposed to the elimination of the right to sue for innocent accident victims in this province.

So now he has the gall to stand up in this House and say, "I've got to go out and consult further." We are having thousands of innocent accident victims whose rights are being denied them while he is suggesting in this House that now he has to consult. We can go back to the 1987 election, when the NDP attempted to make automobile insurance the number one issue in this province. They took this stand in 1989 and 1990 when they were sitting over here, and now they are stalling and stalling while, as I said, thousands of innocent accident victims have their rights denied on a monthly, weekly basis. We simply cannot allow this to continue. That is why I raised this issue. That is why I am trying to at least put some public pressure, some focus on this government's lack of action in respect to innocent accident victims in this province.

I want to say I hope it was not simply public posturing on the part of the minister, but up to this point in time we have to assume that indeed was the case, that he was not sincere. I do not know. It is passing strange that the minister is not even in his chair here today during this important debate. Where is the minister? If he really cares about innocent accident victims, I want to pose the question to government members who are going to be participating in this debate, where is the minister today? We have known for a number of weeks now that this bill was going to be debated. He took up the time of this House for days on end—and here he comes. Well, it is about time he got out of bed. It is good to see him.

Mr McLean: He has gone away again.

Mr Harnick: You chased him away. Come back, Minister, come back.

Mr Runciman: I hope I did not intimidate him.

I also hope that what we were talking about in respect to the NDP government is not a lot of meaningless rhetoric and that Bob Rae is not the Milli Vanilli of Ontario politics, great at mouthing but cannot deliver the goods. I hope that is not the case.

I want to say that we hear strong indications that the NDP government is moving towards some sort of variation of the Quebec plan, which would see a pure no-fault system in respect to bodily injury. The insurance industry itself would retain responsibility for damages to automobiles. If indeed that is the case, I want to put on record at this point my very serious concern about that. As I said, right now, under the Liberal legislation, 95% to 97% of innocent accident victims are losing their right to sue. Under the Quebec meat chart plan, 100% of innocent accident victims will lose their right to sue.

I want to say if the minister has the audacity to bring in that kind of legislation in the spring, I do not think he should remain as the Minister of Financial Institutions. He is on the record very clearly in support of the right to sue. So is his leader. I do not see how they can stand in this House in the spring and completely eliminate the right to sue.

1010

I know a significant player in this government, the Deputy Premier, is very strongly supportive of pure no-fault. He believes in the meat chart approach to compensation for innocent accident victims. I want to say this party does not and we are strongly going to fight any attempt to do that, and if it means bringing this House to its knees, as the member for Welland-Thorold attempted to do a few short months ago, we are going to be doing it. We are the only party, in my view, up to this point, that seems to care enough about innocent accident victims to continue to stand up and fight for their rights in the Legislature of Ontario.

I want to say again that I do not want to see games played with respect to this legislation. If indeed we do get support today for this bill by members of the government, I want to see it called for third reading. I do not want to see it referred to a committee, never called and buried. That is just another phoney effort, if indeed that occurs, to try once again to dupe the public of Ontario. We are not going to allow it to happen. I personally do not want to see this legislation referred to committee, because nothing is going to happen. It will be nothing more than a farce if we have an effort of support from the NDP government and then a referral to a standing committee where it will never be called.

I want to say that I mentioned earlier that going through the Bill 68 process, the hearing process in this building and across the province, was probably the most emotional time in my life as a legislator. Members know that I can get quite emotional on occasions and sometimes I do and say things that perhaps are inappropriate and later have to apologize for them. I have done that on a couple of occasions, but I want to say in respect to that particular piece of legislation that I have never felt so strongly, I have never felt so emotional.

The people who appeared before us were the head-injured, senior citizens, people who are going to be very negatively impacted, people representing groups that would be negatively impacted and people who had no vested interest but simply cared about innocent accident victims in this province. A very emotional time indeed, shared by the member for Welland-Thorold with me. At this point in time, now that he has the authority, the opportunity to do something for these people, how can he justify continuing to drag his feet?

This bill should be passed, it should be called for third reading and given royal assent before this House adjourns.

Mrs Mathysen: We on the government side of the House were a little surprised by the introduction of Bill 20, An Act to amend the Insurance Act.

[Failure of sound system]

—last June by the former Liberal government, and that particular flaw was of course the threshold established by the former government, a threshold so excessively restrictive that 95% of the victims, and I emphasize the word “victims,” of automobile accidents are precluded from their right to seek financial compensation for pain, suffering, psychological trauma or the loss of the enjoyment of life.

Only the most extreme injuries—injuries resulting in death, injuries causing permanent, serious disfigurement or permanent loss of bodily function—would qualify under this threshold, the most rigid threshold anywhere in North America, and even more rigid than the insurance industry had asked it to be. Certainly, this threshold ruled out any real kind of justice for the accident victims of Ontario.

Quite naturally, we who now sit as the government believe that is wrong and I dare say many of the voters of Ontario also believed Bill 68 was wrong. I began by indicating surprise at the third party's proposal because I wonder where their concern was last spring when Bill 68 was before this House. There was ample opportunity to voice the kind of outrage the bill deserved at that time. Why wait until now to see the error of Liberal ways?

I also have mentioned that the Liberal threshold was one of the flaws of Bill 68 because it was set inhumanely high. But it is only one flaw. We need insurance legislation that provides Ontarians with insurance that is affordable, available and does not discriminate against drivers.

Unfortunately, this amendment act proposed by the honourable member opposite does not address these other serious flaws. We are paying dearly for the current private system. Premiums have been too high, service has ranged from barely adequate to lousy, the insurers' efficiency has been low their practices arbitrary and their methods often unfair.

We are all aware of the horror stories: the refusal to insure some drivers; the dumping of drivers into the Facility Association, where the highest rates are charged; and the penalizing of good drivers because the driving record of another member of the household is poor. These problems occurred before the former government introduced Bill 68 and they have not gone away.

As everyone knows, our party vigorously opposed the Liberals' threshold no-fault system. We did everything in our power to prevent the passage of Bill 68. At the time of the debate, we received thousands of telephone calls and letters from ordinary people opposed to the bill.

Young people were unable to take jobs because they could not afford to insure a car needed to go to work. Families were hit with increase after increase. Seniors became captive in their own homes because they could no longer afford car insurance. The public anger with the threshold no-fault system is very real. We continue to receive calls from ordinary people dissatisfied with the current insurance system. We believe the drivers of Ontario are entitled to insurance coverage at a reasonable cost and an insurance system that will guarantee the right for compensation for the injured victims.

We have historically advocated a non-profit, publicly operated insurance plan. As we indicated in the speech from the throne, we are committed to a public, driver-owned, non-profit auto insurance system. The systems operating in Manitoba, Saskatchewan, British Columbia and Quebec are models that have caught our attention. In three of these provinces the public car insurance systems established by NDP governments were so successful that they were continued by subsequent governments. In Manitoba, the public auto insurance is now being run by a Conservative government. In Saskatchewan, public auto insurance was introduced in 1946 by the Co-operative Commonwealth Federation government led by Tommy Douglas. It is now being operated by a Conservative government. British Columbia established a public auto insurance system in 1973. Their system does not discriminate on the basis of age or gender. The elimination of profits in the British Columbia system saves drivers there millions and millions of dollars every year.

We understand the intent of Bill 20 and are certainly encouraged by the recognition that amendments are needed. However, the new legislation planned by our government for the spring will be the result of careful consideration with representatives of the insurance industry and consumers. It will be a comprehensive solution to the Liberal insurance fiasco currently plaguing Ontarians and it will address all the flaws of the current legislation.

Mr Chiarelli: My colleague the member for Brampton North and I will be sharing our 15 minutes.

In spite of the antics of the current Minister of Financial Institutions, the issue of automobile insurance is indeed very serious public business. The jobs, careers and livelihood of 44,000 people are at stake. General insurance companies have nearly \$9 billion invested in Ontario. The personal financial budget of every driver is at stake with premium levels. It is most important for every Ontario citizen to have the security of knowing that should an auto accident visit upon him or her there will be adequate and timely accident benefits.

Because so much is at stake, it is with much encouragement that we read the Premier's comments on 10 November that: "The approach the government takes has to be based not just on pie-in-the-sky hope but a solidly

based, documented approach. The decision can't be based on ideology; it has to be based on facts."

And so it was with much discouragement that we read at almost the same time that the Minister of Financial Institutions told his home-town Welland-Port Colborne Tribune that Bill 68, the current Ontario motorist protection plan, was a "complete disaster."

1020

I have repeatedly asked the minister and the Premier to share their information and documented approach, but absolutely nothing is forthcoming except a veil of secrecy and contradictory statements. The present minister is like a child in a candy store or a candy factory. He has walked over to the counter that says "automobile insurance" and he has seen this array of goodies and he cannot make up his mind what he wants.

On 30 October the minister promised in a prepared speech "a public, driver-owned, non-profit insurance system with access to courtrooms for injured victims." That statement was made not when he was opposition critic, but after he had been appointed Minister of Financial Institutions. At the same time, he promised the Advocates' Society he would reinstate the right to sue.

Yet on 17 November, the Ottawa Citizen in an excellent article reported that the minister told the Consumers' Association of Canada that he was bowing to the wishes of his colleagues in dropping his insistence on a tort system giving the people the right to go to court. The minister has said he likes the BC plan with the right to sue, yet this week he called the lawyers pigs at the trough.

The minister also says he will consider Quebec's no-fault system, and while the Premier says he will consider a documented approach, he could not even confirm on 3 December that his government now has or has not commissioned an economic impact study of public automobile insurance in Ontario, something it has known will cause billions of dollars of capital to leave this province.

There are many contradictory statements this government has made since 6 September, many of which are on record in Hansard and in the press. But I encourage the Premier to follow his own advice and to tell his minister to do likewise. I say to the Premier that he should not draft his legislation, should not change Bill 68, the Ontario motorist protection plan, should not make the decision based on ideology.

I say the same thing to the member for Leeds-Grenville. The issue of expanding the right to sue cannot be taken in isolation. That is why I will be voting against this bill today.

Bill 68, the OMPP, is working. In his speech last Tuesday, the minister said on another subject, "If it ain't broke, don't fix it." I challenge this government to enter the debate with documentation, deal with the facts and please share its facts.

Here are our facts:

An independent Legislative Assembly researcher reports that he contacted the three largest auto insurance companies in Ontario and learned that they were complying with government guidelines limiting premium in-

creases to an average of 8% in the greater Toronto area and 0% outside the Toronto area.

Affordability of premiums is a key issue in automobile insurance reform, yet the Premier has refused in this House to say his plan will lower rates.

The same researcher reports that early indications are that the then government's predictions that litigation would be reduced by at least 90% under Bill 68 were accurate.

Helen Anderson, a member of the Consumers' Association of Canada and a member of the Accident Benefits Advisory Committee, told the researcher the committee is not aware of any problems with the current weekly benefit of \$600 per week, although she had some suggestions to fine-tune it.

The consumer information centre of the Insurance Bureau of Canada reports as of 19 December on inquiries:

"Most of the inquiries are for specific information and we are receiving very little general comment on the new legislation. Very few callers express negative viewpoints on the current OMPP system."

It goes on to say, "We are experiencing a decrease in calls related to non-renewal or cancellation of automobile policies. The details are available for anyone who wants them."

I want to read a letter dated 19 December from the president of Allstate Insurance Co, and I want to challenge the NDP government to disprove its contents with a documented, non-ideological approach and deal with the facts. The letter was addressed to me re the Ontario motorist protection plan.

"We have every reason to feel optimistic about the prospects for the wholehearted acceptance of the OMPP by Ontario consumers. The thrust of the new regime is optimal customer service given in a caring, supportive and non-adversarial environment. Insurance people have responded remarkably to the need for a mindset change to bring this about, and they have been materially assisted in bringing it about by the absence of barriers created by the wordings of the judicial system.

"Equally remarkable is the improvement in turnaround time on claim settlements. Adjusters are sensitized to the sanctions against their employers and principals for late payments, and operating systems have been retooled so as to facilitate prompt cheque issuance. Traffic in consumer complaints to regulatory and industry bodies have been minimal. The dispute resolution staff at OIC, having geared up to process 10,000 applications for mediation annually, have received fewer than 100 since 22 June.

"As well, the direct indemnity feature of property damage has drawn much favourable comment from users of the auto insurance system. People have told us they appreciate the prompt resolution of liability and damage issues, and they especially like not having to wait months for the recovery of a collision deductible through the insurer's subrogation process.

"In all, we feel everyone's a winner. Customers like the product. Insurers are enjoying loss cost improvements and consequently are anticipating a return to profitability for this line of business. Everyone is getting along better, and essential issues are being resolved promptly.

"We believe the Ontario consumer of auto insurance is being better served than consumers in any other jurisdiction in North America.

"Yours very truly,

"J. T. Kelaher."

I urge the NDP to look at the facts, put the facts on the table and to accept Bill 68, the Ontario motorist protection plan. We urge them to improve upon it. There is a good basis there. Insurance companies must be made to improve on the issue of Facility coverage. The accident benefits package may need fine-tuning. We need to monitor how the threshold definition is working. But the previous minister, the member for Bruce, has put an election plan together and it is working. I urge the NDP to improve upon Bill 68, to fine-tune it, work with the opposition parties, with the industry and with consumer groups; but to use the minister's words, "If it ain't broke, don't fix it."

Mr Harnick: I notice that the gallery has some students in it. In all likelihood a great many of those students are under 16 years of age. I can tell those students that if they are involved in an accident, unless they can climb the mountain that the former government has created, this threshold, if they are involved in an automobile accident, they will get nothing. They are under 16; they are eliminated from the system.

The threshold thumps and boils every innocent accident victim in this province; 95% are eliminated from the system. And the purpose of eliminating those students from the right to claim for any damages that they might suffer in an automobile accident is because the former Premier decided he had to hold the line on premiums, and when he held the line on premiums, he was able to do it by putting \$650 million into the pockets of the auto insurers of this province.

I can tell members that they have not held the line on premiums. I have a constituent. His name is Ilya Trest and he lives in my riding of Willowdale. Mr Trest earns \$13,999 a year. He is disabled. His wife is disabled. I have a copy of his income tax return here. His income was \$13,999. Mr Trest has two sons, and when his oldest son got to be 16 years of age they scraped together enough money to buy a family car. Under the old system, they got a premium for the 16-year-old driver to drive the car of \$2,489. This was under the old system; he was in the Facility.

1030

Then the new system came along and they got that premium renewal so this 16-year-old could drive the family car, and I might add it is a 1984 Caravelle, it is quite an old car, and when they got that new premium notice—he had had no violations, no accidents, a clean record throughout the year between the ages of 16 and 17—this terrific Ontario motorist protection plan bumped his premium up to almost \$3,200. I have the premium notice here. By my calculation, contrary to what my friend on the bench to my right says, that premium went up 30%—not 8% and not 0%; 30%—to the point—

Mr Chiarelli: Stop trying to fool the people.

Mr Harnick: I am not fooling the people. I have got it right here on the Allstate letterhead. They cannot afford any more to drive the family car, and the reason they cannot afford to drive the family car is because the Ontario motorist protection plan did not protect them.

Mr Fletcher: How come you didn't hold up Bill 68 for a month like we did?

Mr Harnick: Well, we were right there beside the NDP. If the member was watching, he saw Mr Runciman and Mr Kormos and they were fighting against Bill 68 together. I put it to the member who is shouting across the floor at me, "Why weren't you fighting Bill 68," to sit down with the minister, if he has time, and ask him who was standing there shoulder-to-shoulder helping him. The member's facts are not what you would call correct.

The member is quite concerned about why we are all of a sudden fighting this bill. We know that there are innocent accident victims who are being turned away every day because they cannot climb the mountain of this threshold. They cannot prove that they are seriously and permanently injured, and because of that they get turned away.

My friend on the bench to the right said, "Boy, these great benefits that they're getting now." What benefits are those? After you exhaust all of the other benefits that are not auto benefits, then the insurance kicks in. You pay top premiums for secondary insurance from the private insurers, which are making \$650 million this year, and innocent accident victims are being turned away and cannot get recourse to put them back where they otherwise might have been had the accident not occurred.

We are bringing this bill forward because in the Progressive Conservative Party we are concerned about innocent accident victims. We are on the record as fighting on behalf of innocent accident victims in the last Parliament and we are waiting anxiously to see what the Minister of Financial Institutions will present. But in the meantime, who is going to help the innocent accident victims? What is going to become of these people, these people who do not qualify under Bill 68 and who have to wait until the minister finishes another round of consultations? He has the Osborne report. He has the 400 briefs that were filed before the committee. He is ready to act now. Why is he doing nothing to help these innocent accident victims? That is the reason we are here today and that is the reason we are asking members on the government benches to support this initiative. These people are going without redress. They have nowhere to turn.

I might add that the longer this goes on, the longer this delay takes place, the more impossible it is going to be to help these innocent accident victims. So that is why we are here. That is why we are asking the members on the government side of the House to support this initiative, because unless they do, these people are going to go without any help whatsoever. They are going to be lost between the current system and the system that may be.

I hope that the members on the government benches will see it in their hearts and in their consciences to help innocent accident victims now and to take that step

without having to be led by waiting for the minister to finish the consultation process. He is not doing innocent accident victims any good by delaying this process any longer.

Ms Haeck: I want to say at the outset of my remarks that I support in principle the private member's bill to restore the right of car accident victims to compensation. This bill is designed to repeal sections of the former Liberal government's Bill 68, which came into effect in June of this year.

During the debate on Bill 68, this party opposed the threshold no-fault car insurance plan which denied any access to the courts for the vast majority of innocent victims. We opposed it and we oppose it now. The NDP government is in the process of designing a new public auto insurance plan that will not only provide fair coverage at a reasonable price but include a comprehensive package of reforms. We do not intend to move in a piecemeal fashion.

The speech from the throne promised introduction of the new auto insurance legislation by the spring session. We are moving with urgency on this vital concern. We are consulting with all groups which have an interest in the legislation, including accident victims, insurers and others.

Our party's views on auto insurance are well known. At this time we want to solicit the views of other interested parties in order to receive a range of views representing all stakeholders, and I will repeat that, because I want it to be made very clear that this government is interested in the consultative process. Our party's views on auto insurance are well known. At this time we want to solicit the views of other interested parties in order to receive a range of views representing all of the stakeholders.

The former Liberal government's threshold system is unfair and unconscionable. Under the threshold, people would only have the opportunity to sue for compensation in cases involving "death, permanent serious disfigurement, or permanent serious impairment of important functions caused by continuing injury that is physical in nature." Of all the threshold-type insurance systems in North America, the threshold put in place by the Liberals is the most onerous and the most stringent. During the hearings for Bill 68, it was estimated that this threshold would eliminate at least 95% of all claims—not terribly fair, I would say.

However, the threshold was not the only aspect of the Liberal bill that we opposed. We fought Bill 68 on other grounds that are not dealt with in the bill we are debating today. For example, Bill 20 does not address the question of taxpayers subsidizing insurance companies. As Bill 68 failed to do, Bill 20 does not deal with the problem of availability of insurance. It is still difficult to find an insurance company that will accept individual risks at affordable prices if they will accept any at all, particularly if the individual has any record of an accident or traffic tickets. And I can assure members that in doing my canvassing during the election campaign this summer there were a lot of my electors who had an awful lot to say about this particular plan. As we heard during the Bill 68 debate,

many people are being forced into the Facility Association, where rates are exorbitant.

Both the former Liberal government's bill and this private member's bill fail to deal with discrimination on the basis of age, sex, marital status, family status or disability. It also does not establish a uniform classification system for determining risk and allows the different classification variables used by each company to continue, and they are highly discriminatory.

1040

There are many provisions in Bill 20 that raise concerns for our party. The removal of collateral source deductions, for one, addresses some of our concerns about this measure but does not provide a solution as to how to deal with double compensation as recommended by Justice Osborne. I believe some members of this House have talked about Justice Osborne's opinions. Well, we have obviously taken them into consideration.

Bill 20 also eliminates all the mediation and arbitration systems now in place. The introduction of mediation and arbitration was recommended in Justice Osborne's report in order to facilitate a speedy resolution of disputes pertaining to accident benefits. Remember Justice Osborne?

Previously, many companies routinely denied or halted payment of benefits, leaving accident victims without ongoing compensation for long periods—and to Gerry Plato out there, this is your problem. We believe any sensible system must address this concern.

Bill 68 and today's bill do not consider the benefits of a driver-owned system to the people of Ontario. The driver-owned systems in other provinces have proven to operate more efficiently, more effectively, than the private sector in a number of ways. They spend less money on overhead, operate on a non-profit basis, return more of the premium dollar towards claims, and integrate driver and vehicle licensing systems to ensure that all drivers are insured.

As we indicated in the throne speech, our government is moving quickly on automobile insurance. I will support in principle this private member's bill solely because it eliminates the former Liberal government's unacceptable threshold. We expect that this bill will be overtaken by government legislation which will comprehensively address all the concerns we outlined during the Bill 68 debate as well as some of the problems we have identified in the technically flawed private member's bill.

The public-operated, driver-owned system that we will introduce in the spring will provide Ontario drivers with affordable coverage in a non-profit system that will be accountable to the public. I know there are many of my constituents who will be extremely happy with that situation.

Mr McClelland: I appreciate the opportunity of spending a few moments talking about the bill put forward by the member for Leeds-Grenville. Let me say at the outset that I am impressed with the member for Middlesex, who has made a commitment on behalf of her party to deal with all of the flaws and to come up with the perfect solution. I guess that is why I cannot sit over there with her party, because I do not think that I could ever come up

with anything that would be absolutely perfect. That is one of the failings that I have as an individual, and I suppose only the member and her party in its wisdom can come up with perfection. I would not want to presume to come over there because I would ruin it.

I simply say that to suggest to her that with all of her best efforts it will not be perfect. Nobody suggested that Bill 68 was perfect. As my friend the member for Ottawa West has suggested, it is working in many cases very, very well. I think it is an opportunity now for us to be a little bit objective and take a look at what has happened under Bill 68.

The member talked about the horror stories. The member for Leeds-Grenville talked about the innocent people who are denied the opportunity to sue. The member for Willowdale admits to me that he has an inability to be objective about this because his clients are not now able to reap the benefit of his tremendous legal counsel. Those clients cannot go to him and cannot have this benefit, and he admits to me clearly his inability to be objective about this. What he fails to take into consideration is the one third of accident victims who under full tort had absolutely no recourse, who were left without any recourse of substance. Talk about the horror stories.

I want to talk about a couple of horror stories under full tort by way of contrast. I would ask my friend the member for Willowdale, as he leaves, to listen and be a little bit objective and understand, as my friend the member for Ottawa West said, that there are two sides to this equation, and that there are people who I think need to be objective and look at how Bill 68 is working, affecting real people in real life. I want to talk about that for a brief moment.

I had a constituent call me who was a victim of an accident in January 1986 under full tort. He was told to proceed with litigation. They went out and got a second mortgage on the advice of counsel so that they could continue payments on their first mortgage pending settlement. The second mortgage principal ran out, so they went out and got a third mortgage so they could pay the payments on the first mortgage and the second mortgage.

Subsequently, in the latter part of this year, a settlement was reached and when all the money was used up, they were in a position where they had virtually nothing left. They are now in a situation where they are walking away from their home. Those are the types of individuals who benefited under full tort.

Mr Tilson: You're too expensive, Carmen.

Mr Harnick: I never made money like that.

Mr McClelland: Now people from the third party are making a lot of flippant, quite frankly inappropriate comments and taking shots at people who are innocent victims.

Mr Tilson: No, they are directed to you.

Mr McClelland: The member for Dufferin-Peel says they are directed at me. That may be and he is entitled to do that, but in so doing, he is actually laughing, I think, indirectly at people who are hurting and who would have benefited.

Let me talk, in the few moments I have left, about a couple of other cases under Bill 68. I want to talk about a

42-year-old Ottawa Valley teacher who was recently killed when struck by a car while riding a bicycle. He left a widow and eight children. An over \$230,000 settlement was assessed. The Royal Insurance company immediately advanced a sum of \$10,000 to cover funeral expenses. The balance of the \$230,000 was paid within a 10-day period and the individual still has the opportunity to pursue litigation.

Another case is that of a 34-year-old driller who lived in Kenora. He was on his way to work on 1 October. He fell asleep; he had an accident; he is now a paraplegic and he is recovering in Winnipeg. The accident victim has no replacement insurance and he was completely at fault in the accident, but under Bill 68 he is receiving \$740 per week. His home will be renovated and the insurance is paying for the lodging expenses of his wife, who is staying in Winnipeg to be with him during his recovery. In addition to that, he is receiving more than the standard income replacement of \$600 a week. The Co-operators insurance agreed to extend enhanced income replacement benefits up to \$1,050 a week.

Yes, there are cases, I say to the member for Middlesex, where insurance companies are not working, but I want to give an example again of where insurance companies have in good faith extended income replacement and, in this case, until renewal time. The accident happened before renewal and he is receiving the benefit of compensation as if he had purchased the coverage which he did not.

I want to simply say that on balance there are many people who are substantially better off under Bill 68. It has been well said by my friend the member for Ottawa West. That is working well. There are countless cases where people are receiving benefits who might otherwise not have done so.

My friend the member for Ottawa West put on the record incidents and examples gleaned by independent research in terms of the efficacy in the way that Bill 68 is working. I say to the opposition, the third party could give an opportunity to work. It is not broken. Do not fix it; improve it. I think the opportunity is here to improve it and I thank you for the opportunity to address this issue.

Mr Tilson: If the member does not realize it by now, the law is broken. It has simple as that. The law is not working. There are people around this province coming to legal firms asking for opinions as to where to go. There is not any. They simply cannot recover the rights that they had before.

The member for Middlesex says that she is surprised at this bill. Quite frankly, we on this side of the House are surprised that she is surprised. The member for Welland-Thorold did a major filibuster during the last session where he gained great notoriety around the province in his position on this, and we agreed with him.

1050

Mr Villeneuve: But he was just paying lip service.

Mr Tilson: Well, he was. He had a plan now and all of a sudden it is gone. It is probably like a lot of the policies that this government has. They spoke quite firmly

when they were running for election and where are they now?

The people of this province cannot afford to wait until January or February when the minister plans to introduce his bill. Obviously both the Liberals and the NDP have decided that they are not going to support this bill; well, hopefully, this will make them move. We have not got time to wait any longer. The minister must move now. If he is not going to support this bill then he should bring his own bill forward.

Mr Charlton: Let me start out by saying that I will be supporting this piece of legislation by the member for Leeds-Grenville. The member for Dufferin-Peel, though, is not correct in the comments that he has just got through making. We both opposed Bill 68 last spring. We opposed that legislation for entirely different reasons, though, and the implication of the Conservative position on Bill 68 and this present bill is the status quo prior to Bill 68, which is a disaster for the drivers of the province of Ontario.

I am going to support this piece of legislation because it deals with the most offensive part of Bill 68: the threshold. But it is not the only offensive part of Bill 68, and I would to simply point out to the member for Dufferin-Peel that the member for Welland-Thorold did show great stamina last spring in his fight against the bill, and if the Conservative caucus had joined us and matched us in that stamina we might not now have a piece of legislation that is the law of the province that is causing the problems it is causing.

For example, I have a constituent who has been to see me who is eligible, because of his wage level, for the maximum benefit of \$600 a week while he is off work. Unfortunately, that benefit is supposed to be tax-free, and it is tax-free if it comes from his insurance company. Unfortunately for this gentleman, he is presently getting sick leave because that is what the law requires and his sick leave happens to be taxable. He is losing benefit because of a major loophole in a shoddily constructed piece of legislation by the former Liberal government, a piece of legislation which has to be completely reworked.

I will support this bill because it addresses a small part of what has to be addressed, but to just address the threshold question will not resolve the problems that are confronting drivers in the province of Ontario who have had serious accidents, and will not resolve the majority of cases that are being imposed on people by Bill 68, the present legislation. We intend to deal with it in a comprehensive and fair way across the board.

Mr Runciman: I want to thank the members of all parties who participated in the debate today. I want to say that some of the comments made by government members were upsetting, to say the least, in respect to the role that my party played during the debate on Bill 68. The member for Niagara Falls said she was surprised by this legislation. Well, I want to say we in this party were disappointed and dismayed by the lack of action on the part of the member for Welland-Thorold, the now Minister of Financial Institutions, based on his role in the debate earlier this year and his party's position for many, many years.

We had the member for Guelph, who seems to have a permanent smirk on his face since he entered this chamber, interjecting in respect to: "Where were you? Where were you when this debate took place?" I want to say we were there very actively and vigorously fighting on behalf of innocent accident victims in this province. That is where we were. The member was warming his tail back in Guelph. We were fighting here every day and right across this province as well; we have nothing to apologize for. Once those guys got in power, what the devil are they doing? Absolutely nothing, absolutely nothing; talking about consultation, after we toured this province, myself and the member for Welland-Thorold, listening to witness after witness talking about the rights of innocent accident victims being denied them under the terrible Liberal legislation. Now they are in office for over two months and all the minister is doing is talking about further consultation. Well that is not acceptable, I want to tell members.

I want to say something about the minister, whom I like personally and consider a friend, but he has not shown his face in this assembly this morning. He is walking around the edges, or he is up in the gallery talking to the president of the Insurance Bureau of Canada. Why is he not sitting in here? Why is he not participating in this debate? He took up 17 hours of the Legislature's time last year, indicating he cared so much about innocent accident victims, but he is not even sitting in his spot here today. He is not taking up his chair. Where has that compassion gone to? Has it just simply drained away since he assumed office as a minister of the crown?

I want to say it is shameful that the minister is not here today participating in this debate. If he cared as much as he indicated to the people of this province a few short months ago, he would be here today, he would be continuing to stand up on behalf of innocent accident victims right across this province. He is not here today and that speaks volumes about the lack of sincerity on the part of the NDP and regrettably, obviously, on the part of the member for Welland-Thorold. I certainly did not consider him the kind of individual who would be a yes man, but obviously that is what has happened. He is being significantly muzzled by the Premier's office, apparently. There is no other explanation for the minister not being here and standing up on behalf of innocent accident victims.

We have some inane interjections from a Liberal member here. They talk about nobody being hurt by their terrible legislation, everybody benefits, and then the member for Ottawa West has the gall, the unmitigated gall, to quote as justification for his position the president of an insurance company. My God. They are reaping significant benefits, the insurance industry itself, and the Liberal member has the gall to stand up here and justify his continued support for this dreadful legislation by quoting a letter from an insurance industry executive.

I want to say, if the NDP thought they put up a fight—a phoney fight indeed. That is what it was proven to be—I want to say when they bring in pure no-fault, when they fail to recognize the rights of innocent accident victims in this province, they are going to have one hell of a much bigger fight on their hands from the Progressive Conserva-

tive Party of Ontario. We are not going to stand for it. If it means tying up the business of this House for a significantly longer period of time than the member for Welland-Thorold did, we are going to do it. We are going to be sincere about it, because we believe in what we stand for.

I told members earlier that this party believes very strongly in the ethic of responsibility, that individuals should be responsible for their actions. Bill 68 wiped that out. It wiped out whole groups of people in society. We talked about the kids in the gallery here today, under 16. The Liberals say everybody benefits. It was pointed out to them that kids under 16 are completely wiped out, nothing, nothing, nothing under that Liberal legislation.

Here we have an NDP government which just two or three or four months ago felt so strongly about people like those kids sitting in the gallery that they were going to do something about it. Now they have had the opportunity and what do we get from the minister? "I want to go out and consult." Well, that is a bunch of garbage and nothing less.

I want to say that we went around this province. We listened to people. I listened. I thought the member for Welland-Thorold listened. I was emotionally impacted upon by those witnesses as I have never been before as a legislator, never been before. It impacted on me and members saw it in this House on a daily basis, and I want to say I felt that I shared those emotions with the member for Welland-Thorold. I thought he was sincere and it apparently is not the case, because today we are getting a mixed reaction from across the floor now that the NDP is the government and we have a failure on the part of the minister to even make an appearance in this House, let alone participate in the debate. There is no justifiable reason whatsoever for his absence here today.

I want to say again that if we do get passage of this bill, if we have enough members of the NDP supporting passage of this bill, I personally do not want to see this referred to committee, because I think it is a procedural ploy. I think it is more gamesmanship. I do not think again that there is sincerity on the part of the government if they simply want to see this referred to a committee where it will never be called, never be debated and simply buried, another further delay while we have hundreds and hundreds of innocent accident victims continuing to suffer, continuing to have their rights pulled away from them by the draconian Liberal legislation brought in in June of this year.

I think I have said enough on this bill, on this issue. I have spoken on it for years. I think everyone knows my strong feelings in respect to the rights of innocent accident victims in this province. I urge all members of the House to support this legislation, to see it called quickly for third reading and given royal assent before the adjournment of the House.

1100

CITY OF LONDON ACT, 1990

Mr Winner moved second reading of Bill 18. An Act respecting the City of London.

The Deputy Speaker: Pursuant to standing order 94(c)(i), the member has 10 minutes for his presentation.

Mr Winninger: Mr Speaker, I have a throat infection. If I sit down early, it is not because I have nothing more to say, it is because I have no more voice to say it with.

This bill, An Act respecting the City of London, is designed to conserve heritage property in London. Currently, we have 71 properties designated as heritage properties in London. I have already filed two petitions incorporating many, many names of Londoners who support Bill 18 and what it is designed to do.

As many of the members will recall, the Ontario Heritage Act was passed and proclaimed—

The Deputy Speaker: Order. Would you stop the clock, please? We have to see whether the speaker works. Could you wait just for a minute? Try it on again and let's see if it works properly. If not, take another seat.

Mr Winninger: As I was just saying, in 1975 the Ontario Heritage Act was proclaimed with a commitment to conserving our architectural heritage. Under the heritage act, municipalities could designate heritage buildings. These buildings could not be demolished for a period of 180 days. If, during that period of 180 days, these buildings were not purchased or expropriated, they could then be demolished.

This act did not go far enough, in our estimation. The city of Toronto has now passed a statute which would require that a building permit be issued before such heritage buildings can be demolished. Markham has also passed similar legislation. The city of London does not at the present time have legislation that would require the issuance of a building permit by city council before heritage buildings can be torn down. In fact, we have already lost one important building, the Sir Adam Beck House, which was torn down virtually overnight in the absence of this kind of legislation.

Another important heritage resource we have in London, which I will call the Talbot Street block, which is in fact a streetscape that has been described as the most magnificent example of Victorian uninterrupted streetscape in the province, is scheduled for demolition after 3 February, when the 180-day designation under the heritage act is due to expire.

I grew up in London certainly during the sleepy 1950s, when Eisenhower was in the White House and a milkshake cost 25 cents. London had a real architectural identity. It had a real downtown core area where people went to shop at either the local independent business stores or at the Simpsons store. London has a park in the centre of town called Victoria Park, with a bandshell and military monuments like many other small towns and cities strewn across Ontario. During the 1960s, 1970s and early 1980s, a lot of these buildings were torn down either to make way for parking lots or to make way for modern structures that lack the distinct identity that the original streetscapes had. That is why it is so important that we conserve what little is left of our architectural heritage.

Another builder who has purchased a property called Thornwood Estate in London, the second-oldest house in London, has asked for a demolition permit for that property as well.

I, like many members of the House, share the view that private property owners and developers have rights too, but these rights have to be balanced from time to time against conservation of our heritage which is, I believe, a legitimate municipal planning consideration. Municipalities like Toronto and Markham that already enjoy the privilege of issuing a building permit before a building is demolished certainly have an advantage over London, where buildings can be demolished without a building permit after the period of 180 days elapses.

The one building that I have mentioned due for demolition—in fact, a whole streetscape of buildings due for demolition on 4 February, goes back to the late 1800s. The southernmost point of the streetscape was the original town hall of London and later the first professional theatre in London. The building at the northern end of the streetscape is the terminus of the legendary Donnelly stagecoach that went from Lucan to London, and in between were a number of a notable other stores such as one that was run by an enterprising female, a Victorian entrepreneur called Jane Darch who supplied harnesses and saddles.

The Talbot Street block is in close proximity to the Covent Garden market in London which has existed for over 100 years. It supplied hotel services, it supplied staples and the sale of agricultural implements. This is a fine example of Victorian streetscape that London cannot afford to lose. If it is going to lose it, it should certainly know what kind of structure is going to replace it. The owner of that particular property, Cambridge Leaseholds, indicated in an article in the *Globe and Mail* on 10 December of this year that it is reining in all new developments for a period of at least two years.

Should this streetscape be sacrificed for a parking lot simply because the builder has vowed resolutely and irretrievably to tear it down? I would submit no, we have to conserve our heritage. It is a visible link that we have with the past. Psychologists have determined that where a city becomes modern and loses its distinct architecture, people develop a sense of stress and anxiety. They feel much more a sense of wellbeing when they conserve their rootedness in a community. Also, crime and other forms of social disorder increase where a city modernizes too quickly.

Our heritage which we wish to conserve in London is certainly irreplaceable. This bill only goes so far as to require a building permit, as I said earlier, before demolition can occur. We need an ongoing partnership between all levels of government and the private sector to protect our heritage.

For every million dollars spent on renovation, 27 jobs are created. For every million dollars spent on new construction, only 13 jobs are created. Certainly jobs can be created through renovation, through incorporating the old into the new. Also, the cost of renovating the Talbot streetscape, for example, is equal to the cost of adequate new construction. It does not necessarily cost more.

1110

John Ota of the Ministry of Culture and Communications toured the Talbot streetscape and in his report to the

city of London said that he had not seen a more beautiful and intact example of 19th century commercial buildings in a row in the entire province than London's. Mr Ota said, "There is a tremendous potential here to come up with a creative method of integrating a modern development with the city's irreplaceable heritage buildings.

Certainly, if any steps towards improving the downtown are considered, they should begin with the preservation of those buildings. This view was also endorsed by the Heritage Canada Foundation and Christine Hart, the former Liberal Minister of Culture and Communications, who toured the streetscape last June, vowed that she would see that legislation was enacted to protect the streetscape. Unfortunately, the September election prevented her from so doing but we can certainly carry on the torch to ensure that buildings like the Talbot streetscape, but also many other heritage buildings in London, some of which are now owned by developers, do not fall to the wrecking ball.

Mr Sorbara: I am pleased to rise and join in this debate during private members' hour and on a private member's public business bill.

I listened very carefully to the member for London South. I noted his remarks, for example, about how impressed he is with the architectural value of the buildings which he endeavours to preserve by way of this bill. I noted as well with interest that the previous Minister of Culture and Communications had toured the buildings, had examined the site, had met, I think, with city officials probably and had made a public commitment for the government of the day to bring in a government bill in order to vest in the city of London the power that our friend the member for London South now proposes to do by way of a private bill.

The member for London South did not, unfortunately, review in his remarks any of the politics surrounding this little issue of the buildings on Talbot Street. He did not, for example, mention the fact that this House is prepared, seemingly—to satisfy the needs of this member and his political colleagues, and perhaps the member for London North as well, the Conservative member—that he is prepared to short-circuit, and I would suggest abandon, the regular procedures of this House in order to effect the political objectives which he wishes to effect.

He did not say that apparently we are prepared in this House, with the acquiescence of the government House leader, to urgently turn a private member's bill into government legislation with a vote this afternoon.

I am not going to comment on the merits of the bill itself. I recognize that not only the city of Toronto but other municipalities have acquired the kinds of rights and abilities that are proposed for the city of London within Bill 18.

The difference here is that this matter currently before us and before the city of London is not a matter that has been requested by the city of London. In fact, there is no doubt in anyone's mind that councillors and the mayor of the city of London are in the midst of a vicious debate over the future of this property and the powers that one private

member has determined, the government should now vest in the city of London.

We have procedures in this House for the government to put forward its legislation. We have ministers in the House who are capable of proposing matters to cabinet, having matters reviewed by committees of cabinet and then bringing those matters forward in the form of legislation. This government, notwithstanding that the Ministry of Culture and Communications could have urged the incumbent minister to bring forward a bill, did not do that. So within three months of their election, they determined that it is all right to short-circuit the process.

I remind members that there is a standing order in our standing orders that governs how we do business, standing order 66, which says that a government in the last two weeks of a sitting—the winter sitting in this case—is not permitted to bring forward a bill and then have it go through the three readings that are required and be passed into law. Why do we have that standing order there? It is no longer of any value, because if the government wants to do something it can, by consent of this House, foist it upon members, have a private member's bill suddenly become, without any notice, a government bill. This afternoon, we are going to be asked to do precisely what the standing orders prohibit us from doing.

The member for London South, shaking his head, is not familiar enough with the rules of this House, but he will be familiar with politics. He was willing to sacrifice the interests of the folks who had asked him to bring forward a resolution on the CFB. That is what was on Orders and Notices. That is what he asked us to debate in this House this morning. That is what the notice document said. That is what he proposed to do, not this bill. This is a government bill, this is not a private member's bill. This is something that the ministry should have had on the order paper a month and a half ago. Then we could have considered it appropriately. That would have been fair.

It would have been fair for the member to urge the Minister of Culture and Communications to bring forward a bill, for the government, in a government decision, to stand behind something that the government wanted to give to the city of London. I will simply leave the fact that the city of London has not yet resolved the issue and requested the legislation to be brought forward. That is the normal course. No, but my friend from London South has a political agenda, and in this case maybe it is all right. In this case maybe it is fine that we will abridge, abbreviate, ignore the rules of this House because this is a good political objective.

I just tell my friend, who is a new member of this House, that it really saddens me that in the case of this issue we are ready to ignore the rules. Why do we have these rules here? What happened here? What political pressure was placed on the member that we just ignore the rules? I was told last week that we were going to have unanimous consent to move it off one page of the Orders and Notices to another page.

Hon Miss Martel: There was no guarantee that we were going to get it from you. That's why we're doing it this way. That's what the problem was.

Mr Sorbara: My friend the government House leader says there is no guarantee for getting it from me.

The Deputy Speaker: Please address your remarks to the Chair and ignore the heckling.

Mr Sorbara: I want to do that. If Mr Speaker would direct the government House leader to not interject, which is another part of the standing orders, that would be fine.

The government House leader says I was not prepared to give my consent to moving the bill over. I ask the government House leader this question. Why was the government not prepared a month and a half ago to introduce this legislation, to allow it to be debated in this House as a government bill, which it is and which the government wants it to be? What was the hesitation? Why is this bill not going to be allowed to be reviewed by a committee of this House? Why are members not going to be able to comment on it? Why? Because it is politically expedient in the city of London, just as it was politically expedient in the city of Hamilton for its members to meet privately with NDP members to tell them about a decision that was going to be coming out.

That is the kind of government we have in this place now, a government of convenience, very convenient for the Minister of Colleges and Universities to meet privately with NDP councillors, to tell them, sort of, about what is going to happen. It does not matter that the cabinet had not formally announced the decision. Not very important, really, when it is expedient for the movement to get the message through to its members.

Now we have got a bill. It is a fine bill and I wish that we simply could pass this bill based on the rules that we have in this House. But apparently we are not going to be allowed to do that.

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It seems to me that there is a very strong debate going on in the city of London about Talbot Street and what should happen to these buildings. It seems to me that in every other community we have laws and regulations and bylaws governing how those disputes are to be resolved. The city of Hamilton, with the exception of the Red Hill Expressway, gets along like that. The city of Toronto gets along like that. The city of North Bay gets along like that. They look at the rules that govern how these issues are to be resolved where there are differing interests and differing points of views.

But in this case, no, we are not going to have that. We are not going to have the government bring forward legislation. We are going to have one private member—he did not make it to cabinet; he is a private member—who takes up the cause and introduces a bill for discussion during private members' public business. But he makes a deal because the pressure is too great, the political pressure is too great. He makes a deal with the government:

"I'll introduce it as a private bill. The government won't have to go out on a limb here. We'll get it on the order paper that way. Then, on the last day of the sitting, we'll just ignore the rules and ram it through. We'll decide the issue prematurely. We won't let the parties who have a differing point of view in the city of London resolve it. We

won't even wait for the city of London to come forward and request to the government that this legislation be passed."

The most unusual thing of all is I have been here five years and I have never once seen a bill changing the rules for a municipality without the municipality, by resolution, requesting those changes. But it is a new day—"We have a New Democratic government now. We have urgent political problems to solve in the city of London. You see, we defeated the former Premier and the former Solicitor General and now we have to pay debts."

I want to tell my friend the member for London South that he starts off on a very bad course, because once we start ignoring the rules and once we start finding ways to get around the rules, we start down a terribly slippery slope, because my friend the member for London South should know that the political pressure just gets more and more severe.

He can go to London tonight—it sounds as if we are going to adjourn tonight—and take a bow. He can say:

"I did it. I got them to ignore the rules. I got them to change a private member's bill to an important piece of government business in the last eight days. Remember, standing order 66 says we ought not to do that, but I got them to do it. Isn't wonderful that you elected me?"

The city of London did not even ask for this bill. The city of London is very deeply divided over how this matter should be handled. "But now that I'm an MPP," says the member for London South, "I can do it all by myself, because my government understands not good policy, my government understands political expediency. My government understands political expediency when it comes to the Red Hill Expressway in Hamilton. We have to have private meetings to tell our NDP colleagues on municipal councils about decisions that are coming up so they can explain to us how to orchestrate a strategy to make sure the decision is well received."

You swear an oath when you get into cabinet that you will not violate the secrecy of cabinet. That oath does not have any qualifications to it. It does not say "except when a controversial decision is coming up which ignores a decision of an Environmental Assessment Board."

Ms Haeck: On a point of order, Mr Speaker: I believe that the member for York Centre has somewhat digressed, if I may be so kind as to use such a word.

The Deputy Speaker: Thank you. The member for York Centre.

Mr Sorbara: I say to my friend the member for St Catharines-Brock that I have not digressed at all. We are talking about the rules of this House and how they are being reshaped in order for the member for London South to achieve the passage of government legislation through the most interesting little back door that I have seen in the five years I have been here. So the bill will pass. The bill is going to pass; they have a majority. The member for London South is going to be able to go to London tonight and say: "We did it, folks. I singlehandedly overcame"—

Ms Haeck: On a point of order, Mr Speaker: I am sorry, but I still do believe that the member is digressing.

The Deputy Speaker: Your point has been made. Thank you very much.

Ms Haeck: Even if he is explaining this, he still seems to be digressing in that explanation. He is really not adhering to any—

The Deputy Speaker: Thank you.

Mr Sorbara: I think what I am doing is causing a little bit of embarrassment on the part of my friend for policies that she is going to have to explain to her constituents.

The bill is going to pass. The government House leader has already decided that. Notwithstanding standing order 66 and notwithstanding that the city of London has not asked for the bill, we are going to change the rules that apply. The constituents who most vigorously supported my friend the member for London South will probably be very happy. I, for one, will be very sad, not that this bill passes, but that the government could not see fit, in its first three months of office, in achieving its objectives, to simply do what is right and just, and that is to regard with a great deal of respect the rules that we ourselves have adopted to order our business in this House.

I, for one, will be delighted if these heritage buildings are preserved. I remember when Toronto's old city hall was preserved. That was a great day. This is not a great day for this Parliament, nor for the member for London South.

Mrs Cunningham: It is my responsibility this morning to rise on behalf of our party and to speak to the bill as presented by my colleague the member for London South with regard to the heritage in the city of London.

I think I will begin by addressing the comments from the member for York Centre. In a letter sent to the Premier from Cambridge Shopping Centres Ltd, which will in fact be the private sector member that will be inconvenienced somewhat by this legislation, at least over periods of time, I will say from the very beginning, it states that, "Cambridge's primary concern is with the process by which its passage is being attempted."

I will agree with the member for York Centre and I will, right up front, here in front of everyone in this House, state that I do agree we have a process that in fact is not being followed in this House. I will also agree with the member for York Centre when he said perhaps he understood that the member for London South had a reason for bringing this bill. It related to his responsibilities as a member of provincial Parliament and to the city of London, part of which he represents along with myself and the member for London Centre.

Today we have a tremendously responsible decision to make. It is not one that I am pleased to have to be part of because I am a person who supports the procedures of this House and I am a person who likes to be proud to do that. From time to time, those of us have a tremendous responsibility as we represent our communities. We are asking today that the procedures be set aside, and there is a reason for it.

At the same time in this province, those of us who represent the public recognize that our heritage is there to

be preserved and our heritage is there to be passed on to our children. In this instance, it is up to the local heritage advisory committee to decide and recommend to the city of London whether or not these buildings are heritage buildings and it is up to the city of London to decide, by vote of city council, in fact that they are. Given that we in fact have an act, called the Ontario Heritage Act, that in its own way attempts to help municipalities across this province preserve their heritage buildings, I think I am entrusted this morning with the responsibility to support my city council.

On 7 May 1990, a majority of the city council decided that the buildings on Talbot Street would be heritage building sites. For want of a better way to explain that, it said to myself, and certainly others who represent the city of London, that we must do everything we can do to preserve those buildings or parts thereof, whether it be the façades, whether it be the Talbot Inn. Whatever the city council and Cambridge decide over a long period of process and negotiations would be appropriate to preserve would certainly be in the interest of the heritage buildings and the city of London.

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What we find ourselves with today is an act where the process time disappears on 4 February and we find ourselves in a position where we have not come to a conclusion that is satisfactory to either side. This is not new, I think, across the province of Ontario, but this is, at least as far as I have been able to tell, the first building that will be demolished because of an act that was considered by the former government and many members of this House, including myself, to be insufficient protection.

It will not be new to the city of London or to Cambridge to know that there was an intent on the part of the former Liberal government to change that act to make it more restrictive. In fact, in the spring of last year the minister, Christine Hart, visited the city of London, which the member for York Centre recognized in his remarks this morning, and served notice that the Ontario Heritage Act would be strengthened by that government.

It was of course the intent, I think, of this government, and certainly the member for London South in a letter that he wrote on 18 October, to move quickly along with the minister to make those changes.

There will be criticism on this process. There will never be criticism, I do not think, around the intent of the member. It would have made it a lot easier for all of us if that had happened. I am not certain whose fault it is but I will say that the criticism was directed to the government. I think there were other alternatives if in fact it had been dealt with on 18 October or shortly thereafter.

So we find ourselves with intentions and we find ourselves with the Cambridge developers being most unhappy with what is happening this morning. I can only say about this piece of legislation that there are other buildings across the province of Ontario crying out for this kind of protection today. In the city of London alone we are most fortunate. I will correct speakers: it is just the city of Toronto that has this protection; Markham did not complete the process. We probably have over 80 buildings in

our municipality that have been designated under the Ontario Heritage Act. I feel all of them need the same kind of protection that we are giving this particular site this morning, if indeed this piece of legislation is passed.

The majority of London city council support the effort to introduce this legislation which will give the municipality a greater deal of control. I can only say that not because they voted on it, and I will be very clear, but I feel that the intent of the resolution last spring would, if it were consistent with the thinking of the council of that time, and as a member of provincial parliament that is the only vote that I can take seriously. This bill has certainly been in the media for the last two or three weeks and I have not seen any change in a vote of city council to give me different direction than what I had last spring. Very clearly, that is the only reason I am supporting this legislation this morning, because I have been instructed for the first time in almost three years by a vote of city council to represent my community in the best way that I see fit.

There are many misconceptions about the legislation and, I feel, some unfounded fears that have led to concern among community groups in London. I will recognize that I have had a number of groups write, as they represent citizens and their own interests, to say they are not happy with this legislation. I have also had many, many more phone calls and letters supporting it. But basically the real reason that I am voting in favour of this legislation is because of the intent of city council and the intent of the member for London South to support it in any way he can as an elected representative of our municipality at Queen's Park with his legislation.

But I will say clearly here today that Bill 18 does not stop development. It does not stop a solution to the problems that we have in developing that site in the municipality. What it might do, and this is my hope, is to get the city council and the mayor along with Cambridge talking once again about a very important piece of property in our city, one that we do not want to remain as a parking lot, but one that we hope Cambridge Shopping Centres Ltd will work with our municipality in a very positive way to develop in the best interests not only of the citizens whom they serve in their work, and very important work as they provide services, but I think one that will also meet the needs of our citizens and their children for years and years to come by preserving whatever part of that heritage property can be preserved sensibly. I would urge, because I think we have all been put through, I think, rather strong negotiations from both sides, that people grow up on this issue and show some leadership and get on with it.

One of my great concerns is that the courts and municipal boards are used when common sense should be used. If I can do anything to get our mayor and the president of Cambridge Shopping Centres Ltd together in meaningful discussion, maybe along with my two colleagues—I have not discussed it—I think there is a solution to this. I do not like to represent a city that seems to be dug in on planning. I do not like to think that a developer would not be speaking openly and positively with our municipality. In spite of their private interests and in spite

of providing jobs, providing an enhanced living for our citizens, I think they too have a responsibility to get down and talk. The big problem with the Ontario Heritage Act, given the time frame, is both sides have allowed it to elapse. We are now giving them another opportunity to get down and talk business and get something done for the municipality which I serve.

In closing, I would like to say that I know there will be great criticism around the processes in this House and I would hope that all the members of this Legislative Assembly will not again be subjected to the breaking of the rules as we have been today. I do not think it is our intent, and I would hope it would not be the government's intent, to have this happen frequently. Perhaps we have all learned a lesson very early in the tenure of this government, that people are hurt when rules are broken.

Today, I do not think anybody needs to be hurt directly or indirectly. I think this is an opportunity for people to get together, both sides, both Cambridge and the city of London, and to come to some sensible, mature solution around that particular development and around the preservation, where possible, whether it be a building or a streetscape or otherwise, in the best interest of the citizens of London whom I serve in this House.

Mr G. Wilson: I am pleased to be arising to speak to this debate, this very crucial debate, in support of my colleague and seatmate, the member for London South.

This is the first time I rise to speak in this House and it gives me the opportunity to acknowledge the heritage of stewardship created by my predecessors in this position, most recently represented in the person of Ken Keyes.

I think we have had some discussion about the process involved here and of course that process has evolved over our experience in the House, a very important one, I think we would all agree, and one that we want to sensitively deal with and, where necessary, modify. Like any heritage, it is there to be built upon, to be used creatively and strengthened.

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Second, I would like to mention the fact that I am the parliamentary assistant to the Minister of Culture and Communications and very excited to be involved in the creation of new policies in that ministry, in particular a new heritage act. Certainly, the ministry is well aware of the importance of local people taking the initiative in the preservation of culture in their particular area, but we realize they need support from the Ministry of Culture and Communications. That support will be there in a strengthened heritage bill which will be introduced in the near future after consultation with the people throughout the province who are actively engaged in the preservation of the heritage in their areas.

I want to say too that as a resident of Kingston—in fact, part of the reason we moved to Kingston was because of its fame for its preservation of its historic buildings and other areas of heritage. It is very important that the steps taken in Kingston be emulated throughout the province.

In particular, it is well known that Kingston has a number of limestone buildings. Local residents are aware of

this priceless heritage and have taken steps to ensure that future generations also enjoy the area's rich past. Kingston may have the greatest number of 19th century buildings of architectural merit of any city in Ontario. Many of our public buildings are outstanding in their design and decoration.

It is not by accident that so many magnificent buildings remain standing. The need to adopt measures to protect the city's historic architectural heritage has long been recognized by the citizens of Kingston. Kingston was the first city in Ontario to be given authority by the province to pass bylaws to designate buildings of historic or architectural interest. It was given this authority on its own request in 1970, five years before the Ontario Heritage Act came into force. The city had 30 designated buildings on its list then; now it has well over 500. Kingston was also the first municipality in Ontario to have a heritage conservation district designated. We now boast two such areas, the village of Barriefield and Market Square.

Kingston has been in the forefront of the movement of heritage conservation in the province. My constituents know that it is not so much preserving the past as it is building our future, enriched by the experiences and legacies of previous generations.

I would like to say too that fate has taken a rather tragic hand in this debate this week in the burning of a historic barn in an area of my constituency. As I mentioned, a barn is in a rural area. Sometimes we forget about the valuable heritage that exists in that area as well.

I would like to read a couple of paragraphs from the news reports of this tragedy. The building was owned by Dr Westenberg, not only a medical doctor but a diplomatic representative for the Netherlands. A couple of paragraphs describing the incident:

"He has been active in historical preservation projects and was deeply hurt by the loss of the barn, that he valued highly as an example of craftsmanship and history that is disappearing with time from the countryside. 'The area's historic buildings fit into the countryside the way furnishings complete a room in a home. My whole idea of preservation was in that barn.'

"Located beside the road, the barn had been the focus of many drawings and photographs. It was built in the old style a century or more ago with square timbers that were fitted together and held with pegs instead of the nails that became common later."

I think those of us who can tear ourselves away from the riveting debate in this building sometimes notice the marvellous decoration of this building. Many of the skills that went into designing this building have been lost and I think that is another reason that we would all agree requires the kind of support for heritage that this bill speaks to and that the Ministry of Culture and Communications is committed to.

There is also the international community which has recognized the importance of heritage and culture. In 1982, at the World Conference on Cultural Policies, UNESCO identified the connection between heritage and cultural policies and problems of growth and change.

I think we can safely say, then, that heritage conservation is not a preoccupation with the past. It is the basis on which to build our future.

Mr Sterling: I have only a few minutes to speak and I just wanted to say that while we are generally in support of this measure, we have some concerns, which the member for York Centre has raised. I think the problem arises from the fact that a private bill, if brought by the city of London to this Legislature, would enable the people who were affected in London to bring their concerns to a committee of this Legislature and then the committee of the Legislature would make its decision after hearing the concerns of not only members speaking on this bill, but also people from the actual area.

I guess another part that concerns us is that this now is the third municipality which has sought to strengthen the Ontario Heritage Act. I believe that Markham and the city of Toronto both have this kind of jurisdiction, which they have received from the province of Ontario. There is a concern if it spreads wider and wider without considering the overall policies and the structure of how it is to be done.

In my view, legislation that is brought in in a private bill at the request of a municipality does not undergo the same rigour and examination of the processes that are there, not only to properly protect the right of a municipality to protect heritage buildings, but it also does not address the right of the owner of that particular property.

One thing that concerns me about this bill is that the proposer of the bill, the member for London South, specifically referred to a project in the city of London in his remarks. That is what this bill is all about. That is not what legislation should be about in this place. It should be about creating rules which are generic in form and apply to all heritage properties, hopefully in all of Ontario, but in this case in the city of London.

The member for London South, by narrowing down on the Talbot Street property, has in effect admitted that what this bill is doing is usurping the rights of one owner of what he understood the law to be today. We are today amending those rights unilaterally without his right to be heard. That is what we find objectionable in this process. We think it could have been done another way, but we accept that in case we must proceed with it as it is.

Hon Mrs Boyd: I too am rising for the first time in this House to speak as the member for London Centre. I am delighted to have the opportunity to do so with respect to this particular bill.

I am also pleased that the member for York Centre brought up the politics of this situation because I think it is extremely important for this House to recognize the part that politics has played in our getting to this point today. I also regret that this bill needed to be brought in this way, but the political situation which surrounded this particular bill is well known to the people in London and ought to be well known to the people in this House.

It is customary, when you rise for the first time, to talk about your predecessor. My predecessor, the former

Premier of the province, built his political reputation in the mid-1970s as a heritage conservator in the city of London when he took action to protect the Middlesex county courthouse from demolition. Therefore, it is not surprising that the people of London Centre expected their member to be very vigorous in defence of the Talbot streetscape and the other heritage properties that have been demolished in the city of London, and those that may be demolished and certainly are slated to be demolished if the developers involved have their way.

The whole issue in London is not a new one. It has been raging on for at least the last five years in a very public way, as anyone who reads our local press or has been aware of our local political situation will understand. Citizens in London have been very vigorous in their defence, partly of the Talbot streetscape, but also the other buildings that have been demolished. Those have included the Sir Adam Beck House, which was demolished supposedly to be renovated and put back together on a scale model by another developer who currently seeks to destroy yet another heritage property in London North.

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The Premier had been swamped, throughout his term from 1985 to 1990, by requests from the citizens of London, including the heritage associations, to bring in changes to the Ontario Heritage Act that would allow exactly what the effect of this bill allows. He delayed and he delayed. He did not do so because he was aware, as members are aware, that there is controversy about this. We would be foolish, those of us from London, to deny that there is controversy. There certainly is not a unified position within our community around heritage buildings and I know that lack of unity is true across the province.

The import of this bill and the changes that we all had asked the former Premier to make in the heritage act gives, in fact, the responsibility back to the municipality in a very real way so that that decision is made at the local level. Because of the way the heritage act reads now, once a designation is made there is a time period, the clock begins to tick. We are simply saying and are wanting to enact in this bill a position in which the city council is given the responsibility to issue a demolition permit or to hold off until a building permit is issued in order to permit demolition. That puts it back into the local decision-making power and we think that is very important.

It does mean that a very highly divided city council is going to face decisions in an election year which are going to be difficult for them and we recognize that. But that is the appropriate arena for this decision to be made, and the city council in London needs to make a decision as to whether they are prepared to allow the demolition of yet another major heritage building and streetscape, which is the one that is particularly urgent at this point since 4 February is demolition day. They have the decision-making power to determine that. We believe that it is appropriate for them to do so. The way the act reads now, they have no decision-making power. They have designated the property as heritage.

They have also made a decision based on their financial accountability that they cannot expropriate or pay for

the buildings to be maintained. So they are saying, "We do not want these buildings maintained if it is going to cost the citizens of London money, but we equally do not want yet another devastation of our heritage." We do not want yet another addition to the city block which is now empty of anything but a parking lot in the very heart of my riding.

So, I would urge the members of this House to recognize that this extraordinary measure is necessary in order to buy the time that is necessary to prevent demolition by an intransigent owner who has refused every opportunity to negotiate this situation with the city, has refused offers of purchase that would have maintained the landscape and has refused to incorporate the landscape into any plans that have been submitted to the city thus far.

Ms Haeck: I rise in support of this bill. I live in a historically designated area. In fact, as a result of that designation my own home is a historically designated building. I know about the process through which the local architectural conservation advisory committee undergoes such a designation. It took, for my particular property for my particular block, in fact well over two years of consultation with the municipalities, with the actual residents, home owners of those properties as well as the local architectural conservation society hiring consultants, the city hiring consultants. So we are talking about a very long process where everyone, including the owners of those buildings, being well informed about what is going to be happening.

The Queen Street historical area in St Catharines, as I say, took over two years to be designated. It is in fact true that when properties are designated, they are not only designated because they achieved a historical status, but they also achieved financial value. I think we have to recognize that tourism today includes people visiting communities because of historical buildings. Quebec City itself plays up very largely the fact that the old town exists; Montreal plays up the fact that an old town exists. Why are we facing the destruction of our historical heritage? We are losing tourism dollars in doing so.

I personally advocate that each community should be undertaking an inventory of significant buildings and making every effort to save these structures because of their financial advantage to the community. It provides a visual record of the history, but it also adds financial value.

As a librarian who has worked for a number of years in the local history department of her local library, I see a strong need for this kind of legislation, legislation which would finally provide an important element of this province's history, the kind of protection it truly needs. Our history should not be the pawn of business interests, interests that see advantage only in parking lots.

We as a province have lost much to the wrecker's ball because the Ontario Heritage Act, an act which should be there to protect those buildings, has absolutely no teeth at all. What it should do is to protect our heritage, but it is represented in the wrecker's ball and it really needs—When in fact our government proposes its legislation, I will be strongly working to make sure that the Victorian architecture out there gets the same kind of protection as our art heritage as well as our works of literature.

The member for York Centre fails to understand that these buildings are imperilled.

Mr Winninger: I certainly appreciate the concerns about process voiced both by the member for York Centre and also the member for Carleton. However, they know, as I do, that the clock has all but run out. I did not direct this particular piece of legislation to one development in particular but the fact is, the Talbot Street block is one development in particular that London can still save by reassuming control over the manner in which demolition permits are issued. All this bill speaks to is the need for a building permit before a property is demolished.

With the time running out, I appreciate the activities of the member for London North and certainly for London Centre in supporting this bill. I certainly appreciate the support that the various House leaders have given to facilitate speedy passage of this bill.

I would conclude by saying that all members of the House who have spoken today seem to acknowledge the political will to achieve this kind of political objective.

Mr Cousens: Mr Speaker, on a point of order: The honourable member just said he was not applying to any specific development or anything. Is that really what the member was saying and meant? He has 26 seconds to answer. It is a good question.

1200

The Deputy Speaker: The time provided for private members' public business has expired.

We will deal first with ballot item 3, standing in the name of Mr Runciman. If any members are opposed to a vote on this ballot item, will they please rise?

INSURANCE AMENDMENT ACT, 1990

The Deputy Speaker: Mr Runciman has moved second reading of Bill 20, an Act to amend the Insurance Act.

Motion agreed to.

Pursuant to standing order 94(f) the recorded vote on this ballot item is deferred.

CITY OF LONDON ACT, 1990

The Deputy Speaker: Mr Winninger moved second reading of Bill 18, An Act respecting the City of London. Is it the pleasure of the House that the motion carry?

All those opposed will please say "nay." All those in favour will please say "aye."

In my opinion the ayes have it.

Motion agreed to.

Bill ordered for third reading.

1208

The House divided on Mr Runciman's motion, which was agreed to on the following vote:

Ayes—62

Abel, Bisson, Boyd, Buchanan, Carr, Carter, Charlton, Cooper, Coppen, Cousens, Cunningham, Dadamo, Drainville, Duignan, Eves, Fletcher, Frankford, Grier, Haeck, Hansen, Harnick, Harrington, Harris, Haslam, Hayes, Hope, Huget, Jamison, Jordan, Klopp, MacKinnon, Malkowski, Mammoliti, Marchese, Martel, Mathysen, McLean, Mills, Morrow, Murdoch, B., Murdock, S., O'Connor, Owens, Perruzza, Runciman, Silipo, Sterling, Stockwell, Sutherland, Swarbrick, Turnbull, Villeneuve, Ward, B., Ward, M., Waters, White, Wilson, F., Wilson, G., Winninger, Wiseman, Witmer, Wood, Ziemba.

Nays—9

Chiarelli, Cooke, Elston, Gigantes, McClelland, Phillips, G., Sola, Sorbara, Sullivan.

The Deputy Speaker: Pursuant to standing order 94(k) the bill is referred to the committee of the whole House.

Mr Runciman: I understand that later today the House will revert to private members' business. I would respectfully suggest that my bill be treated the same as Mr Winninger's and I be granted unanimous consent that the bill be ordered for third reading.

The Deputy Speaker: Is there unanimous consent?
Interjections.

The Deputy Speaker: Order, please. There is no consent.

Mr Runciman: Based on the regrettable response from the government, I would ask for consent that the bill be referred to the standing committee on administration of justice.

The Deputy Speaker: Shall this bill be referred to the standing committee on administration of justice?

All those in favour of this question will please rise and remain standing.

Please take your seats.

All of those opposed will please rise.

Please resume your seats.

The majority of the House not being in agreement with the request of the member, this bill is referred to the committee of the whole House.

Mr Sterling: I think it is important to note, because the names were not recorded in that last vote, that the Liberal Party and the Conservative Party supported it going out to committee and all of the New Democratic Party opposed that motion.

The House recessed at 1214.

AFTERNOON SITTING

The House resumed at 1330.

MEMBERS' STATEMENTS

SPECIAL EDUCATION

Mr Beer: The issue of special education is and must be a critical one for all members of this Legislature. One of the fundamental goals of government is to protect those who cannot protect themselves and make it possible for each child to fulfil his or her own potential.

Over the past decade, different governments have worked to provide greater access to a whole range of educational and employment services for those with special needs. But we know that much more remains to be done. The educational system is the key to ensuring that those with special needs will have a greater opportunity to lead fuller and more productive lives.

The former government had committed to bring in major legislative changes to the provision of special education in the province. These amendments were to have been presented this fall to the Legislature. The proposed changes were the result of several years of work and public consultation.

Of particular interest to the special education community were proposed changes to enhance the rights of parents to change the current composition of appeal boards for the appropriate placement of students and to expand the placement options for students with special needs.

The children and parents for whom these amendments are intended have waited long enough. The amendments have been drafted. The new government has had plenty of time to review them. They are needed, and they are needed now. When will this government finally act and bring forward the necessary legislation?

LANDFILL SITE

Mr Eves: I rise in the House today to bring the McDougall landfill site to the attention of the Minister of the Environment. I want to address this issue, which continues to plague the township of McDougall and surrounding municipalities. The problem is a direct result of an order issued under section 29 of the Environmental Protection Act, ordering the township to assume the responsibility to operate the dump site.

A plume of leachate which has migrated from the dump and into the marsh, stream and on to neighbouring properties precipitated this order.

The township of McDougall cannot afford to place the ratepayers at risk. The ministry has failed to guarantee the necessary funding over the anticipated cost of operating the problematic site, nor has it provided a commitment to the municipalities or compensation against future liability for having complied with this order.

The Parry Sound area must have a proper place for waste. An alternative site must be found.

McDougall township officials have made several requests to meet with the Minister of the Environment to resolve this issue of liability, which has been outstanding since September of 1989. The township of Mc-

Dougall has been willing to co-operate as much as possible. However, it, along with other Ontario municipalities, as demonstrated by the passing of a resolution at the annual convention of the AMO, is asking the Ministry of the Environment to assume its share of the responsibilities.

During a recent telephone conversation with the township reeve, the minister's assistant indicated that the minister was preoccupied with finding a waste site for Toronto's garbage. I hate to disturb the minister from her preoccupation with this endeavour. However, I would ask her if she would kindly sit down to meet with officials from McDougall to resolve their problem.

JACK KENNEDY

Mrs MacKinnon: Today Lambton county is quiet. The music man, Jack Kennedy, a gentle man as sweet as the music he played, passed away on Sunday. A lifelong resident of Lambton county, he was easily recognized in the music industry. He was a master of piano, organ and accordion. Thousands of young people and old were entertained by Mr Kennedy at places like Kenwick on the Lake and Kenwick Terrace.

He was a leader in the big band era. Jack, as everyone called him, was a charter member of the St Clair Parkway Commission formed in 1966, and served as chairman from 1970 to 1981. The parkway along the St Clair River is a tribute to the vision of citizenship and civic spirit that Kennedy demonstrated all his life.

He was also a woodworker, yachtsman and, most of all, a family man and a friend to the young and the not so young. The shopping malls and seniors' residence will be quieter now as Jack will not be there to play for them.

Jack's family, the parkway and his music are a legacy that will be treasured by all of Lambton county and the province of Ontario.

Left to celebrate his life are his wife, Genevieve, their four children, grandchildren and those in Lambton and throughout Ontario who had the pleasure of knowing Jack and hearing his music for 73 years. All of us will remember Jack and be truly grateful to have shared in his life.

'THE RAE-MAN'

Mr Sola:

Once upon a time, seems so long ago,

There was a party in Ontario.

Their leader, the Rae-man, used this lore,

Quoth he, "Consult and spend—evermore!"

The People's Agenda let everyone know

All of the answers to our every woe.

Which was stated as clearly as before,

To quote the Rae-man, "Evermore!"

When, much to even their own surprise,

Voters bought the NDP enterprise,

The people expected to be in store,

Was, to quote the Rae-man, "Evermore!"

Now in power, they are on a roll.

All their promises are out of control.
Their change in message their friends abhor,
Rae's changed their tune to "Nevermore!"

Floyd in Treasury has changed his hue
From bright pink to deep Tory blue.
Ed Flip has flopped, in days of yore
Quoth this Rae-man, "53-footers—Nevermore!"

Cowboy Pete on insurance will consult
All of those he did not insult.
Green Ruth's decrees will even the score,
Her list targets regions wanting dumps "Nevermore!"

Dave, the tenants from rent did free,
And Cooke-d the goose of Labour's Bob Mackenzie.
Now tenants and landlords and labour are sore,
There's no fixing of buildings, no jobs—"Nevermore!"

The NDP tax revolt you cannot ignore,
Stand on your heads to be where you stood before.
Can we trust them heretofore?

To quote that Rae-man—"Nevermore!"

With apologies to The Raven and Edgar Allan Poe.

HEALTH CARE FINANCING

Mr Jackson: I want to call the attention of all members of the House to the serious situation of provincial health care underfunding which continues to face Ontario hospitals and especially Joseph Brant Memorial Hospital in Burlington, which could be forced to cut up to as many as 30 badly needed beds as a result.

Members will be aware that Liberal mismanagement of our health care delivery system was the straw that broke the former government's back during the last provincial election. Burlington's Joseph Brant Memorial Hospital, for example, never received the 180 additional beds it was promised by that government.

But what has changed under the NDP government? There is nothing in the throne speech to indicate that health care will not continue to be relegated to the back of the line of government policy priorities. When it came to this new NDP Health minister, the people of Ontario were expecting support for hospitals to deal with the new realities they have been dealing with alone, such as the employer health payroll tax, pay equity and increased wages for health care and hospital workers. Instead, they got a minister who has done nothing to improve matters, who has continued to lower hospital funding—and this is at the same time that her government is dragging its feet on the release of transfer payments.

The people of Burlington are outraged at this government's indifference to the funding crisis facing Joseph Brant Memorial Hospital. The time for rhetoric is over. Ontario hospitals cannot continue to operate under this government's cynical Band-Aid approach to health care funding.

TAXATION

Ms M. Ward: One of the key yardsticks of fairness in government policy is our taxation system. I think we face a

great danger if our taxation system is not fair or is not perceived to be fair. A taxation system depends, as do many of our other government policies, on achieving a social consensus. Even if we do not believe that a system is ideal for us as individuals, we will accept it if we believe it offers the best for society as a whole.

In my riding of Don Mills, the question I have been asked most frequently in the last few months is, "Is there any way that the GST can be stopped?" I do not intend to dwell on the GST, but I believe it is another blow to that social consensus. If people do not believe the rules are fair, a certain number of people will stop playing by the rules.

1340

Recently, I have had a couple of experiences in small retail shops where the sales clerks have asked me if I wanted to pay sales tax. I did pay it. I will look at the Minister of Revenue to make sure she heard that. While these two instances do not indicate a trend necessarily, I believe they are a warning signal we have to pay attention to, and that people are beginning to feel the system is not fair and are angry about it.

That is why I was excited about the announcement in the throne speech of the Fair Tax Commission. Fair taxes are a major concern to my constituents. They are willing to pay their fair share and no more.

CANADIAN FORCES OVERSEAS

Mr Morin: As the holiday season approaches, it automatically evokes a feeling of warmth in our hearts. It is a time for reflection, nostalgia and the gathering together of close family and friends. In just a few days, we members of this House will join our own families to celebrate this special time of year.

Yet, as we do so, let us not forget our brave fellow Canadians stationed in the Persian Gulf, who will not have the good fortune of spending this holiday in the company of their loved ones. Let us also think of the friends and relatives who anxiously await their safe return. The sentimentality we experience as celebrations draw near is heightened for those troops who must prepare to spend these days far from home. The uncertainty of the situation in the Persian Gulf contributes to the sense of suspension among the soldiers.

I can understand the feelings of these young men and women at this time of year. In 1953, 37 years ago, I was in Korea as a young officer with the Royal 22nd Regiment. A Christmas package from my mother meant the world to me. I can still recall the smell of that Christmas cake in a tin from home, which was a symbol that somebody was thinking of me.

Let our thoughts extend to Canadian service personnel overseas at this special time of year. Let us pay tribute to the people who play this essential role in honouring Canada's commitment to the world community in the pursuit of peace and security in the region. À tous mes collègues et à tous mes camarades militaires : Joyeux Noël et bonne et heureuse année.

SCHOOL ACCOMMODATION

Mr Tilson: Like many high schools in high-growth areas, the Dufferin-Peel Roman Catholic Separate School Board in my riding has sustained overcrowding and extremely long travelling time to and from school. Up to three hours travelling time per day is now spent by young people in my riding travelling to and from school. Students in the Dufferin-Peel area are now obliged to travel to a new school outside my riding, to Brampton's Notre Dame Secondary School, where portables have now been increased to more than 30. Young people in both my riding and the riding to the south are therefore receiving unequal education.

The solution agreed to by the Ministry of Education and the school board was the construction of Northern Secondary School in Caledon East. The land has been purchased and is awaiting construction. Last year the Ministry of Education failed to provide the funding as promised.

I ask the new Minister of Education to give this matter top priority now and give full funding early in 1991 to alleviate this very serious problem of overcrowding and excessive and unnecessary travel by young people in Dufferin-Peel.

SKI HILL BLUES

Mr Owens: I rise today to speak about an exciting project taking place in the city of Scarborough. The program Ski Hill Blues was initiated by Toronto Police Commission Chair June Rowlands, and is financially supported by the police commission.

In co-operation with the Scarborough Board of Education, Metro Toronto Housing Authority and Tropicana Community Services, 40 children in grades 7 and 8 are given lessons in downhill skiing, as well as special attention given to the development of life skills and an awareness of the social issues facing youth today.

I would like to extend the thanks of this Legislature to the following groups and individuals: Pat Tallon, Chair of Ski Hill Blues; Jennifer Murdock, MTHA; Annie Payne, Tropicana; Blaine Bell, Canadian Ski Patrol; Michael Belec, Uplands Ski Club; Detective Janet Neate, PC Phil Semple, Inspector Karl Davis, Staff Inspector Tony Farrell, Sergeant Harry Ward, PC Ed Bain; Norm Clements, National Sports Ltd; and the auxiliary police officers who act as drivers for this group.

One last thought: I would like to wish the visitors and my fellow members in this Assembly a very merry and safe Christmas.

LEGISLATIVE PAGES

The Speaker: Before we continue with our normal proceedings, I would like, with the indulgence of the House, to take a couple of minutes. First, all of us may be aware that there is a very special group of people who have been with us for some time, and this is indeed their last day on the job. I trust that all of us feel the same way, that they have served this House and the members extremely well, and that is the pages. Could you show your appreciation for their fine work?

LEGISLATIVE STAFF

The Speaker: I would also like to take this opportunity to extend very best wishes for a well-deserved rest and happy holidays to the more than 400 women and men who serve us in the assembly: the Sergeant at Arms and the legislative attendants, the Clerk and his staff, the broadcasting and recording service, Hansard, language services branch, the staff of the office of the comptroller, the legislative library staff, assembly services, the legislative building services and the security staff. I know I speak on behalf of all the members when I say that these more than 400 individuals help to make our lives much easier and help us to do our job well. Perhaps we could show our appreciation for the work they do.

PARLIAMENTARY PRIVILEGE

Mr Cousens: On a point of privilege, Mr Speaker: I rise on a question of privilege of which I have given you notice. I wish to deal with a matter that constitutes not only a breach of privilege but a contempt of Parliament and a disrespect for this Legislature. I rise to this point of privilege as defined in Beauchesne's Parliamentary Rules and Forms: "Parliamentary privilege is the sum of the peculiar rights enjoyed by each House collectively...and by members of each House individually, without which they could not discharge their functions and which exceed those possessed by other bodies or individuals."

I feel that my job and responsibility as a member of the Legislative Assembly of Ontario and as a legislator is to represent and to serve the best interests of the people of Ontario. Yet circumstances have arisen which make it impossible for me, as cited by Beauchesne, to discharge my function as a member of the House. Yesterday in this chamber we were informed that a major policy document had been released by the Minister of the Environment. We did not become aware of this occurrence through the customary practice of ministerial disclosure but rather through a question and subsequent confirmation put forth by the member for Oxford and the Minister of the Environment respectively.

The Legislative Assembly Act, paragraph 45(1)6, defines a breach of privilege as, "Giving false evidence or prevaricating or misbehaving in giving evidence or refusing to give evidence or to produce papers before the assembly or a committee thereof."

I am not accusing anyone of deceit or prevarication per se. I am simply trying to establish a prima facie case of privilege. On a number of occasions in the past several weeks, responses to questions placed by members of the government side have resulted in the disclosure of information that should have more appropriately been tabled before this House by way of ministerial statement. The discussion document released yesterday, to everyone, it would seem, except members of the opposition, is a crucial component of the minister's environmental protection policy for the people of Ontario.

How can I, as a member of this Legislature, determine what is best for the people of Ontario when the government discloses important information in a way which

prevents us from determining whether people would be adversely or positively affected by this policy initiative?

It is we, as mandated by the people of Ontario, we as the fiduciary of the people, and we, on behalf of the people of Ontario, who are here to serve the best interests of Ontario citizens. The manner in which this information was disclosed and the flagrant disregard in informing members of the opposition until it was deemed appropriate by the government constitutes a breach of the rights and privileges of all members and a contempt of Parliament.

I point out that the definition of contempt contained in the 21st edition of Erskine May's *Parliamentary Practice*, chapter 9, page 115, is as follows: "Any act of omission which obstructs or impedes either House of Parliament in the performance of its functions, or which obstructs or impedes any member or officer of such House in the discharge of his duty, or which has a tendency, directly or indirectly, to produce such results may be treated as a contempt even though there is no precedent of the offence."

Mr Speaker, I put before you and submit to you that this is a significant question of privilege covering the issue of contempt. If you find a *prima facie* case, I am prepared to move the appropriate motion.

1350

The Speaker: To the member for Markham, first I appreciate the fact that you gave prior notice to the Chair, and secondly I take your point seriously; I will take it under advisement and I will report back to you at my earliest convenience.

USE OF QUESTION PERIOD

The Speaker: This would also actually be a good opportunity to speak to the House regarding a matter which was raised yesterday. During yesterday's question period, the honourable member for Mississauga North raised a point of order regarding the use of question period by ministers to make statements under the guise of answers to questions from members of their own caucus.

Following question period, the honourable member for Parry Sound raised a similar point of order, which was contributed to by a number of honourable members. I want to thank everyone for their contributions. I have reviewed Hansard and given this matter some thought, which I am now prepared to share with you.

First of all, there can be no doubt that our standing orders and practice permit a certain number of questions to be asked of ministers during question period each day which originate from members of the government caucus. A restriction to this is that a parliamentary secretary cannot ask a question of the minister under whom she or he serves regarding the subject matter field pertaining to that minister.

The chair takes very seriously the point made by the member for Mississauga North and the member for Parry Sound that answers to questions should not be used to present to the House changes in government policy. Members will know that our standing orders provide a specific time period each day during routine proceedings for that type of announcement. The procedure for statements by the ministry also provides for replies on the part of mem-

bers of the opposition parties. I therefore agree with the honourable members who made these points yesterday that question period should definitely not be used for presenting changes in government policy.

I must caution honourable members, however, that although the Chair tries to be vigilant in these matters, sometimes the skill displayed by the questioner and the minister providing the answer is such that it is difficult for the Speaker to identify what might or might not constitute a change in government policy.

I have looked at the questions and answers of yesterday's question period and I will take this occasion to tell the Minister of Labour that his answer yesterday to the question asked by the member for Dovercourt was indeed borderline and could be interpreted to be an announcement of new government policy. In conclusion therefore, members were perfectly right to raise this. It is indeed a point of order, and ministers should be aware that new government policy should be announced during the time provided for it under our standing orders and not during question period.

Hon Mrs Grier: Mr Speaker, I would like to comment if I may, or at least clarify the statement made by the member for Markham in his point of order, because I think I did make this point to you yesterday. In my ministerial statement on 21 November 1990, I announced that I would be releasing the discussion paper with respect to improvements to the Environmental Assessment Act. The question which I was asked yesterday asked for clarification of that announcement. I apologize profoundly for the way it was—

Mr Elston: On a point of order, Mr Speaker, I understand that the member for Markham, who earlier rose, had expressed a personal point of privilege. You have taken it under advisement, and this speech, although perhaps entertaining for some, is not appropriate here and it is in fact out of order when it is dealing with a personal point of privilege.

The Speaker: The member for Bruce may recall that it is perfectly in order for the Speaker to entertain anything which is germane to a point of order or privilege raised; so provided that it is not repetitious and provided that it will assist the chair in determining whether or not the point of order is valid—you may recall that just yesterday, because members were able to give me additional information, I then was able to rule and I presented the ruling here today. If you wish further clarification, I would direct the member to Beauchesne and Erskine May, both sources which I am sure the member is familiar with.

Mr Eves: On a point of order, Mr Speaker: It is my understanding that the honourable member has asked you to rule *prima facie* whether there is a point of personal privilege here or not. Is what you are telling the House now, as the Chairperson of the House, that every time a member raises a point of personal privilege, any number of members, as long as they are raising new and interesting facts with respect to the point of privilege, are going to be given an opportunity to participate in the point of privilege? If indeed that is now going to become the custom of the House—it has not been the custom in the House

since I have been here in the last 10 years—it just would be nice if we knew what those rules are and how many members from each party are going to be able to talk on each point of personal privilege.

The Speaker: To the member for Parry Sound, I do not know about the interesting aspect, but certainly new information has always been a practice. This is not anything new; this is simply established parliamentary practice. Of course, the Chair does not care to entertain repetitious points, but if it is pertinent to the point of privilege raised—

Mr Sorbara: Well, how do you know until after you have heard it?

The Speaker: That is right. That is precisely why the Speaker will listen to something which is germane to the point raised.

Hon Mrs Grier: I will conclude by saying I regretted the fact that the question had been asked of me before the report had been distributed to members opposite. I understand that it was left in their mailboxes, not sent to their offices, and I apologize for that. We will know better how to do these things in March.

The Speaker: I understood that there were other members of the House who wanted to rise on a point of—no? Ministers' statements.

Hon Miss Martel: Mr Speaker, if I might, there will be three ministerial statements today and two more have been added, the second two with the unanimous consent of the two other House leaders. It is my understanding that with all five, we will go probably beyond the 20 minutes allocated for ministerial statements. I would ask now for consent for those to continue and then add the additional time on to each of the two opposition parties.

The Speaker: Have all five statements been circulated to the opposition?

Hon Miss Martel: The last two will not be distributed. We have asked for unanimous consent because the two members involved will be making both a clarification and apologies to the House. I did not expect that would require statements to be distributed because it is not with respect to their ministries but involvement in a particular issue.

The Speaker: Is that agreeable?

Agreed to.

STATEMENTS BY THE MINISTRY

ADVOCACY AND GUARDIANSHIP

Hon Ms Ziemba: Before I make my statement I would like to extend season's greetings to all members of the House.

Last month in the speech from the throne this government set out our social policy agenda. That agenda is to create in Ontario a supportive environment where all people, including the most vulnerable among us, can meet their full potential with hope and dignity.

One issue that demands our urgent attention is how to protect the rights and wellbeing of vulnerable adults. As we said in the throne speech, reports on advocacy for

Ontario's most vulnerable citizens have been gathering dust far too long. We have known for a long time that there has been a consensus within the disabled community and among Ontario's senior citizens that a comprehensive advocacy system is needed, and I think I must add as a personal note: I too have joined that.

I am pleased to tell members that this government is going to replace words with action. We will develop three pieces of legislation for introduction early in the spring sitting. They are: the Advocacy Act, the Substitute Decisions Act and the Health Services Consent Act.

As Minister of Citizenship with responsibility for disabled persons and senior citizens, I am making this announcement on behalf of the ministers of Health, Community and Social Services and the Attorney General.

1400

The centrepiece is the advocacy initiative. This act will, for the first time, provide a system of advocacy for vulnerable adults which allows their concerns to be heard and their rights protected.

Ontario has approximately 600,000 citizens, including the frail elderly, with moderate to severe disabilities. Their impairments may be mental, physical or both. Most of these people can solve their own problems in daily living or have the support of family and friends to assist them. However, some of them do not have such support. They are the people we refer to as vulnerable adults. They may be residents in institutions or living in the community and who may suffer from neglect, abuse or exploitation. These are our fellow citizens who have been long abandoned and forgotten. If Ontario is to be a compassionate and caring society, we cannot allow such injustice to continue. The late Father O'Sullivan eloquently stated in his 1987 report, which was entitled *You've Got a Friend*:

"Regardless of physical or mental illness and/or impairment, vulnerable persons must have the power to make decisions and exercise their right of choice. People are people, whether or not they have identifiable handicaps. The advocacy system is designed to foster a vulnerable individual's sense of dignity as a valuable contributing citizen of Ontario."

At this point, I would also like to recognize the hard work of Stephen Fram, who initiated a report called the Fram report, which helped build the framework for this particular piece of legislation.

The development of a new Advocacy Act will establish a province-wide independent system of non-legal social advocacy for vulnerable adults. The advocacy system will deal with rights, personal care and systemic concerns.

These concerns will be addressed the rights advocates, who will visit persons who may lose their right to make decisions as a result of guardianship or other intervention. They will advise vulnerable adults of their rights and options in the matter and make certain that their wishes are heard. The case advocates will provide assistance to individuals both in institutions and in the community. The systemic advocates will concentrate on identifying injustices or abuses and bringing about changes in law, rules, regulations, policies and practices that affect groups of vulnerable adults.

These services will be developed and administered by an independent advocacy commission. Its membership will be appointed by order in council on the advice of a broadly based committee representing the vulnerable adult population.

The initiative on substitute decision-making and guardianship is being led by the Ministry of the Attorney General. Under this initiative, the Mental Incompetency Act will be repealed and related statutes will be amended. In their place there will be a new Substitute Decisions Act. This new act will provide for a power of attorney for personal care so that any capable adult could plan his affairs to allow for future mental incapacity by naming a substitute decision-maker. This mechanism will allow individuals to choose in advance the types of medical treatment they would accept or refuse. Other provisions in this legislation will call for the expansion of the current office of the public trustee to the office of the public guardian and trustee.

The health services consent initiative will be led by the Ministry of Health. It will clearly define the right and responsibility of individuals, health service providers and substitute decision-makers in giving or obtaining the consent of the individual to health services. This will allow for quick and accessible substitute decision-making that, for example, will meet the acute care needs of persons whose mental incapacity is only temporary or fluctuating, such as accident victims with head injuries.

I have outlined only the highlights of our initiatives. For greater detail, I invite the members to examine the backgrounder that has been prepared to accompany this statement. I am certainly available for any questions, if members have any.

Let me conclude by saying that these three pieces of legislation will be introduced in tandem for first reading early in the spring session. Extensive and thorough consultation will take place. These initiatives will produce legislation to take effect in 1992. Let me re-emphasize that with these initiatives we will create an environment in which vulnerable adults in Ontario can live with rights and dignity.

DEVELOPMENTALLY DISABLED

Hon Mrs Akande: I am pleased to inform the Legislature today of the government's renewed commitment to providing improved opportunities for community living for people with developmental disabilities across Ontario. These opportunities strengthen the existing systems of support and introduce new measures, address current concerns and help communities to become more responsive to the needs of their members.

At the beginning of November, I promised to review the most effective ways to provide community living opportunities for residents of provincially operated institutions. To accomplish this task, I placed a temporary hold on community placement plans for these individuals. Over the past weeks, meetings have been held with representatives from People First, a consumer advocacy group, the Ontario Association for Community Living, the On-

tario Public Service Employees Union and the Federation of Ontario Facility Liaison Groups.

Through these meetings we have gained a clear understanding of each group's positions, views and concerns. Our discussions were frank and, in my opinion, beneficial. We spoke about the importance of planning together for the individual placement of residents from provincially operated institutions into community settings, how to improve these plans for community living and allow residents an even better quality of life and the provision of services for people already living in the community and how these could be improved.

Our meetings confirmed that no one from any of the groups is opposed to deinstitutionalization. Everyone agreed that some individuals have a greater need for supports and services than others and that a full range of creative community services will allow individuals to be served closer to their homes, families and neighbourhoods where we all live.

Some creative approaches had been developed to meet the individual needs of people with developmental disabilities and their families in the community. It is important to build on these successful approaches to services and keep Ontario a leader in program development and delivery. Some examples are special services at home which provide the flexible approach to support families in caring for their developmentally handicapped child at home, the supported independent living program, which recognizes and responds to the individual needs of persons who are living independently in a community residential setting, and the supported employment program, which is dedicated to helping people gain employment and vital work experience often utilizing a resource known as a job coach who helps to train and support a person on the job.

While these discussions resulted in areas of agreement, they also raised issues that have caused this government some concern, including the inconsistent ways in which service providers have been held accountable and a wage gap that exists between employees of provincially operated facilities and those who work in the community. This wage gap has made it difficult for community agencies to recruit and retain qualified employees.

1410

Today I am announcing that effective immediately my ministry is lifting the temporary hold which was placed on the movement of residents from provincially operated facilities. We are calling for a new beginning, a fresh start that recognizes and addresses the concerns of our partners. In order to begin, we must recognize our strengths and our areas of vulnerability. Our next steps over the coming weeks and months will be to:

Sponsor a forum comprised of consumers, families, advocates, workers and leading experts in the field of services for people with developmental handicaps. The forum will help us to continue to provide leadership in the areas of program development and delivery;

Identify existing community service options and recommend ways to improve their responsiveness to an individual's needs. This will allow us to further our work on evaluating and improving the multi-year plan for com-

munity living, as well as serve as an information resource for that forum;

Communicate more strongly to families, community agencies and other interested parties the principles and guidelines used in the placement of individual residents of facilities. This will ensure their consistent application across the province;

Reduce the significant gap in wages paid to workers in ministry facilities compared to the wages paid to workers in community agencies. Over the longer term the government is committed to providing community agencies with the resources necessary to recruit and retain quality workers;

Review the operating and capital costs of a wide variety of service options already available. This will help agencies in developing services in the community;

Support the efforts announced today by my colleague the Minister of Citizenship to protect the rights and wellbeing of vulnerable adults. This will be accomplished through legislative change and the establishment of an independent advocacy commission. Through these actions we will strengthen support for vulnerable people in their communities.

This government is committed to maintaining and ensuring a high quality of life for residents moving into communities and for those who are already there. Two special actions will be taken to demonstrate this commitment. We will enforce the existing accountability framework in order to strengthen the development and delivery of high-quality services for vulnerable children and adults in all ministry funded programs, and introduce a process to review plans to transfer responsibility for the management of services from the ministry to community based agencies. This will be done in a consultative manner and will ensure a level of consistency in considering programs that meet the needs of clients, staff and communities.

My ministry and the Ontario government believe that community living for persons with developmental disabilities is a desirable and attainable goal. We are committed to improving the quality of life for all people with development disabilities. As we move to community living for all, we are committed to a process which ensures that the needs of all affected parties are taken into account and are addressed.

ONTARIO PUBLIC SERVICE EMPLOYEE BENEFITS EMPLOYÉS DE LA FONCTION PUBLIQUE DE L'ONTARIO

Hon Ms Lankin: I wish, as the employer of the Ontario public service, to inform members of the House about an internal administrative change which I believe demonstrates visibly this government's commitment to recognizing the diversity of its workforce and to social reform.

Effective 1 January 1991 the Ontario public service will extend family coverage for all insured and non-insured benefits to couples of the same sex, including those employed by the agencies, boards and commissions that are in the OPS benefit plan.

Benefits covering spouses of public service employees are dependant life insurance, extended medical coverage, dental insurance and bereavement leave. All of these will be extended to companions of the same sex. After consultation with insurance companies, we do not anticipate a cost increase for this change.

This is a major step forward for the Ontario public service, but I also want to acknowledge and recognize that there are several other Ontario employers that have recently undertaken similar initiatives.

Cette extension ne s'applique malheureusement pas pour l'instant aux prestations de retrait accordées aux conjoints survivants en vertu du Régime de retraite de la fonction publique. Revenu Canada s'est opposé à un amendement qui aurait permis de les inclure. Toutefois, je peux vous assurer, Monsieur le Président, que cette question sera considérée de façon plus approfondie lorsque le gouvernement étudiera l'ensemble des lois et politiques relatives aux avantages sociaux des conjoints.

The principle that all of Ontario's laws and programs must treat people fairly, regardless of the nature of their personal relationships or their family unit, is the major consideration in these changes.

HIGHWAY CONSTRUCTION

Hon Mr Allen: I rise to respond formally to suggestions that I breached cabinet confidence with respect to the government's decision to withdraw funding from the Red Hill Creek Expressway in Hamilton. I want to underline that at no time was the substance of the decision conveyed by me to anyone prior to the information given to the regional chairman at 8 o'clock in the morning of Monday morning last.

Two Hamilton aldermen learned of the time and place of the announcement the previous Friday evening in the course of a meeting in my constituency office. The Friday meeting had been scheduled for some time in advance to continue our discussions around transportation alternatives in the region.

It was in fact in a surprise phone call from the office of the Minister of Transportation in the midst of that meeting that I was informed of the time and location of the announcement. Their office also requested a tour of the valley for the Minister of Transportation. This information, those two pieces, were conveyed to the aldermen, and only those two pieces, and both were invited to the tour of the site with the Minister of Transportation.

I deeply regret that as a result those two elected municipal officials did learn of the time and the location of a prospective ministerial announcement ahead of the regional chairman and the two regional mayors most affected. Clearly, all affected local officials deserve equal notice and I apologize for my part in any discourtesy to them. It was unwise, on reflection, given the political circumstances in Hamilton, to invite one of the aldermen in the tour of the valley on Saturday. I apologize to the Hamilton officials affected for the faulty composition of that touring group.

I want to underline that in all those discussions the subject at hand was not the specifics of a cabinet decision,

but was the general issue of the expressway, the valley and transportation needs in Hamilton, and I personally look forward to working closely with all Hamiltonians, elected and otherwise, in the resolution of those transportation concerns.

Hon Mr Philip: On behalf of my colleagues and I, I would like to clarify the circumstances surrounding the announcement in Hamilton on 17 December 1990. In preparing for the announcement regarding the withdrawal of funds from the north-south portion of Red Hill Creek Expressway, individuals were told in advance that the press conference would be held on Monday morning, 17 December. At no point were any of these individuals told the content of the cabinet decision.

In retrospect, we recognize that the notification was a mistake. Let me be clear. The only people who were notified prior to the public announcement of the content of the cabinet decision were the regional chairman, the mayor of Hamilton and the deputy mayor of Stoney Creek. That was done on Monday morning prior to the press conference. It was not fair and it was not right that individuals would be notified of the timing of the press conference before others. No one benefited in any way from this information. However, we recognize this made an already difficult situation for the regional council even more difficult.

The communication process was faulty and we want to apologize to Reg Whynott, his council and the mayors of Hamilton and Stoney Creek for any embarrassment this may have caused them. I also want to apologize to Mr Whynott for inadvertently neglecting to tell him the location of the press conference during our telephone discussion on Monday morning.

I will be sitting down as soon as possible with the region to begin work on providing acceptable transportation facilities for the Hamilton-Wentworth area. I believe that by working together co-operatively we can find solutions to the very real transportation problems in that area.

The Speaker: We used an additional 40 seconds beyond the time. With your indulgence, I will add one and a half minutes per caucus per opposition party, giving them a total of six and a half minutes for response for each of the two opposition parties.

1420

RESPONSES

HIGHWAY CONSTRUCTION

Mr Nixon: It was not my intention to respond to the statements made by the honourable members until I heard what they had to say. Certainly, this matter is in the hands of the Premier who has established himself, according to his statement last week, as the sole arbiter without appeal in these matters. But I am truly amazed that both members, having considered carefully their actions a week ago at cabinet and then on Friday and Saturday and again, in the case of the Minister of Transportation, on Monday, feel that their only error in their duty was in not properly informing the people of the press conference to make the announcement terminating provincial funding.

It is clear from the statements made by Hinkley and Wilson, clearly recognized as New Democratic Party counsellors, one of them a prospective candidate for mayor until recently, that they were informed of these matters. When I say that, I am in no way saying that the honourable ministers, in speaking to this House, have not told the truth as they see it. But whatever the implication or the inference might have been in the meeting at the minister's office on Friday or the stroll through the valley on Saturday, the NDP tagalongs—and there were no others—were clearly aware that the Red Hill Creek Expressway, as far as provincial funding is concerned, was history.

The honourable members are prepared to say that the only mistake was in indicating that they were going to be having a press conference on Monday. The honourable members and anyone else interested in this are aware of the quotes that are now public. I am very much concerned about this, and my concern will be better expressed when we enter into question period.

ADVOCACY AND GUARDIANSHIP

Mr Cordiano: I would like to respond to the Minister of Citizenship. While we support the minister's commitment to a comprehensive advocacy system and also her reaffirmation of our Liberal government's initiatives in this regard, we are really sadly disappointed, however, that the minister would bring in this statement on the last day of the sitting without announcing that she is prepared to bring in legislation at this time as well.

There is simply no consultation process being discussed here, no review process. It is really a non-event. There are a number of reports that were brought forward on this issue, the O'Sullivan report, the Manson report and the Fram report. The minister has simply failed to address those. She simply asks us to examine a backgrounder accompanying her statement.

We are disappointed that legislation has not been favoured at this time. All I can say is that we look forward to that legislation, but quite frankly, this is a non-event that smacks a little bit of an effort to get media hype going.

DEVELOPMENTALLY DISABLED

Mrs McLeod: I wish to respond to the statement by the Minister of Community and Social Services. I think the members of this House will be well aware that we welcome the fact that the freeze on plans to move developmentally delayed people from institutions into the community has now been lifted. This was clearly a concern we had expressed earlier in this House, and we are pleased the minister has now responded in what now remains quite a short space of time.

We do have concerns that remain about why the hold was in fact imposed unilaterally at that time, and we continue to have some questions about what disruption may have been caused as a result of the confusion that the minister actually created.

We tried to draw the minister out on her specific reasons for imposing this freeze at the time she took the action. In fact, we almost asked her to tell us that she wanted to examine the issue of the adequacy of com-

munity supports that are in place before individuals are moved from the institutions into the community.

We of course agree that those kinds of supports are essential, and in fact the minister well knows that providing the community support was one of the commitments the Liberal government made in introducing the plans for deinstitutionalization.

I was pleased with the fact that the minister recognized, after having taken some time to examine the plans that were in place, that there are a number of very excellent support programs that were established and that deserve to be supported because they are a fundamental part of carrying out deinstitutionalization successfully.

I believe, quite frankly, that the minister is now attempting somewhat to rationalize the earlier decision that was made. But we do agree that a very careful analysis of the adequacy of community supports and as well the issue of wage parity between government institutions and community agencies is necessary.

I think we can predict that what the minister will find as these reviews are now carried out is that the programs are in place, that there are issues that do need to continue to be examined carefully and that what she will find is that at the end of this examination what is required is sufficient funding to ensure that the programs continue to be effective.

In the 1990 budget, we had included some \$58 million which was directed towards ensuring a greater equity in the salaries of individuals in community based agencies. We recognized that this particular budget allocation in the 1990 budget was in addition to significant budget allocations in the previous year's budget. So we had also recognized that this was an issue of concern and we would encourage the minister to continue to review it.

This is another area where we would encourage the minister and her government to follow the lead that was established, because we think it was an important lead. We would respectfully suggest that next time she might consult before taking the action.

ONTARIO PUBLIC SERVICE EMPLOYEE BENEFITS

Mr Sorbara: Just a very brief response to the announcement from the Chairman of Management Board of Cabinet concerning the provision of benefits to couples of the same sex who are living together and therefore will be accorded family coverage: We understand why the minister is doing that. We understand that it helps her to avoid some grievances that are before the Ontario public service, but what I am interested in is the cover to the document which refers to coverage for same-sex spouses in the province.

Although we finally have come to understand that we are a society which realizes that lesbian women and homosexual men may well want to live together in a conjugal-type relationship, still the definition of "spouse" I think in the province of Ontario refers to the marriage of a man and a woman, and I am just wondering whether this document suggests that law will be changed in the near future.

HIGHWAY CONSTRUCTION

Mr Harris: I wish to respond to the statement that have been made by the Minister of Colleges and Universities and the Minister of Transportation. When this issue was first raised in the Legislature, my thought was not, as the Liberal Party has suggested, that the ministers should resign; my thought was: "This is business as usual. Instead of Liberal ministers talking to Liberal cronies, this is NDP ministers talking to NDP cronies."

Mr Mahoney: Go back before 1985.

Mr Harris: If you would like me to go back to 1984, I could say this is business as usual, Conservative ministers talking to Conservative cronies. I am happy to do that. That was my thought.

I thought it was most inappropriate because the people of Ontario had been led to believe by the Premier that it would not be business as usual, that it would not be that kind of politics of the past.

I want to share with the House and with the two ministers, in response to the statements, and I want to share with the Premier, that this was my initial reaction. Wrong? Undoubtedly. Silly? I thought so. Politics of the past? Yes. Something that the public should not have expected given the Premier's standards? Yes. But should the ministers resign? No. That was not my reaction.

I thought that was something the public should know and be aware of, and understand that they did not get what they thought they were getting from this Premier and this government, and they could take the appropriate steps at the appropriate occasion.

Today, with the statements, I want to share with the ministers and the Premier that I too have a little difficulty understanding how a major discussion could be going on in a constituency office about the transportation concerns of Hamilton with Hamilton councillors and a minister of the crown who knew on Wednesday that a decision had been made to cancel the expressway, what kind of meaningful discussion could be taking place without revealing that information.

I also have a little difficulty in understanding two things about the Minister of Transportation. First, he cancelled this expressway on moral grounds. Presumably, he had not even seen the valley when he made the decision on Wednesday, so he had to get out there on Saturday to see it. That concerns me. Is that reason to resign? Of course not. It just points out something that bothers me immensely and I would have pointed that out in the normal course of events.

Now, this Minister of Transportation, with two NDP councillors, was touring the site of the expressway, knowing full well it is not taking place, and it stretches my credibility a little to think they were chit-chatting along that, "Oh, the road will go right here and it'll come through here," and the Minister of Transportation was saying, "Yes, we'll cut down these trees, and that's everything that's going to take place."

1430

In view of the statements that have been made, I am more concerned with this: Once he realized on Friday, as

the minister says—and he is apologizing now—why was that not rectified right away if he felt that was a problem? Why did the Minister of Transportation not rectify that right away? Why did none of this come forward until after it was raised as a concern? He did not see anything wrong with it until it was raised as a concern. That bothers me. What also bothers me is that now the statements are made that nobody knew. “We just strolled through the valley,” says the Minister of Transportation, “looking at this expressway.” That concerns me.

I would suggest that the response we have had today is not enough. It is not appropriate and in fact raises far more questions than I was prepared to raise initially. I would further suggest to the Premier that we have an investigation into this matter, that we have a committee look into it, that we ask the ministers to come before the committee under oath, and that we request as well that the committee have the power to bring before it the NDP alderman and anyone else who had any knowledge or information on this matter so that the facts can come out in full and in the open—as the Premier would have suggested when he was in opposition and, as I am sure he would appreciate, it is important that it take place now, because the perception of what went on from Friday and Saturday and Sunday until 8 o'clock Monday morning is not a very healthy perception.

ADVOCACY AND GUARDIANSHIP

Mrs Marland: In response to the statement by the minister responsible for disabled persons, we would like to say that we are very happy to hear these announcements by this government today. The minister has addressed vulnerable adults; we look forward in the near future to her addressing vulnerable children.

DEVELOPMENTALLY DISABLED

Mr Jackson: I am very pleased that the Premier responded to my request to investigate the actions of his Minister of Community and Social Services with respect to a radical change in policy. I am pleased that this announcement is essentially putting Community and Social Services support for the multi-year plan back to the way it was the day the minister walked into her office and found it. I would specifically like to suggest to the Premier and the minister as well, on behalf of vulnerable adults and their families, for their own best interests, that instead of coming to this House every time she changes her mind she only come forward with these announcements when she has made up her mind.

ORAL QUESTIONS

HIGHWAY CONSTRUCTION

Mr Nixon: I have an obvious question for the Premier. He has heard the statements made by the ministers, and I know that he, being meticulous and committed to fairness and equity in this matter as in others, has examined the matter carefully. Is he satisfied that no further action is necessary?

Hon Mr Rae: Let me try to put this in some perspective. I think a mistake was made. I think it was a mistake

of judgement. I think an apology was owed because a mistake was made. It is a practice which I do not particularly think was appropriate in the circumstances. I have indicated that to the ministers involved, I would indicate that to the House and I would indicate that to everyone concerned, including those who I think are the principal people who have a grievance in this, that is, the members of the regional council who were informed later than other people with respect to this question.

I think a mistake was made, but if the Leader of the Opposition is saying—I know he has said earlier that he believes I should fire the Minister of Colleges and Universities.

Mr Nixon: And the Minister of Transportation.

Hon Mr Rae: And the Minister of Transportation, as he is adding. I say to the Leader of the Opposition that that is not my intention. A mistake has been made. I do not believe that the first mistake that is made by ministers with respect to this question is one that warrants the sanction of dismissal from the cabinet. That is a judgement I have made. The recognition that a mistake has been made and the early admission that a mistake has been made is one that is important to recognize. That is my decision and I look forward to hearing his other views on the subject.

Mr Nixon: The Premier has stated clearly that he is satisfied, although I am sure he is troubled under these circumstances, and that the situation should now be considered as behind us as we have had an explanation and a minimal apology for simply not informing the regional councillors equally that they would be having to fund this expressway in alternative ways.

I want to return to something the Premier said previously. It is not his understanding that any financial gain was associated with this. In some defence, I know of no financial gain and I would defy anybody to find financial gain or loss in spite of the fact that there is \$100 million involved. But there is another sort of gain and loss, and I would suggest to the Premier that it is unacceptable political manoeuvring resulting in gain by his ministers, presumably with his advice and imprimatur, that they deal with supporters only of the government party in these matters and in these communities. There is no evidence whatsoever that the ministers were trying to do anything but further their political cronies in this community. I will tell the Premier that we do not expect to uncover any evidence that somebody made money. When I think of the Premier's statement on conflict of interest and how tough it is going to be and that there will only be one judge, himself, I think, as people who believe in the democratic system, we must be equally concerned about the circumstances of a political type that have obviously and evidently occurred in Hamilton.

I was going to quote some of his stuff. I will just say this. They will “act in a manner that will not only bear the closest public scrutiny, but will further and ensure public confidence and trust in the integrity of government.” I believe this confidence and trust in the integrity has been eroded. I would like the Premier's further comment on this

sort of political gain, which is surely as irresponsible and unacceptable as any other.

Hon Mr Rae: The Leader of the Opposition has said that what concerns him is the sense that one party is being favoured over another. That is exactly the perception, and in this business perception is reality. That is exactly the problem I discussed with the two ministers this morning in our conversation. That is exactly the business that has troubled me. It is something which I do not want to see repeated. It is something which I regard as a mistake.

The Leader of the Opposition is right when he says I am the one who decides. I do have to make a decision with regard to these matters. The cabinet decision was made on Wednesday. The question about how to communicate that strategy is a decision of the government's; in my view, the communication was not well handled. In my view, the other political interests in the region, particularly the other elected officials, were not treated in the way they should have been. I have indicated that as clearly as I can but, if I could put it in some perspective, I do not honestly believe that dismissal from cabinet is the kind of response that is appropriate in this particular instance. That is all.

Mr Nixon: I read from the oath of a member of the executive council, in part, "I will not discuss the decisions of the executive council outside the council, so help me God," signed by the minister and countersigned by the Lieutenant Governor. We are not arguing about the evidence here. It is clear that the oath was broken. The Premier says, "It is a mistake and I forgive it from the corner office, as the only judge." Would he not say that breaking that oath should call for the resignation or dismissal of these ministers?

1440

Hon Mr Rae: If I thought it did, obviously I would have by now, and I—

Interjections.

Hon Mr Rae: I am sitting down because I do not feel I am—if the House will let me respond, I would ask the members of the opposition to let me try and respond as I can.

At some point, obviously, a decision of the cabinet is going to be announced, and at that point it is discussed. There is no question about that. The decision about when to announce the decision that was made on Wednesday is one that is made by an individual minister. It is made by the minister or by members of cabinet or we make a collective judgement as to when and how an announcement is going to be made. The way in which this announcement was made is one that concerns me, but in my view—I would repeat this to members of the House and I am quite happy to accept criticism in this regard; I understand that is one of the realities of life. I do not regard, and I do not think it is fair to say, that the first time a mistake such as this is made the only possible response is for people to be fired. I do not think you fire people every time they make a mistake. That is my judgment, and if the Leader of the Opposition has a different view, that every time a mistake is made that person has to be fired, well, he has a different view than I do. That is all I can say.

Mr Nixon: I do not think it is worth while reading to the Premier his comments made from this side of the House under similar circumstances. The idea of a first mistake was not part of his thinking in those days.

SOCIAL ASSISTANCE

Mr Nixon: I have a question for the Minister of Community and Social Services. The government was elected on a commitment that \$300 million a year would be added to the programs directed towards social assistance so that our people would not have to go to food banks. We know that has not happened and that the honourable minister has substituted a \$1-million Band-Aid for that action.

The association of food banks, whatever its correct name is, has rejected the \$1 million. What is she going to do now in her timetable enunciated in her first comments to the House to abolish poverty in three months?

Hon Mrs Akande: I hate to refer to an old analogy, but I had mentioned some time ago to the member that that train had already begun. We were in fact establishing our program to abolish poverty. We have announced the increase to make sure that those on social assistance do receive adequate incomes. We have looked at garnisheeing the wages of parents so that there will be less child poverty. We have addressed \$54 million towards putting people back to work and making sure there would be fewer of them on food banks. We have increased the shelter costs significantly, because the food banks told us that those people end up at the food banks. And we have addressed \$700 million towards putting people back to work. The million dollars was offered to those who wanted it to address emergency needs, to address poverty; and within the context of those emergencies that money was made available. Those who do not wish to access that money do not have to.

Mr Nixon: The honourable minister would be aware that the food banks—and there are 18 of them in their press release—have rejected her policy. I am very impressed with the honourable minister's background. I have read in detail in the most recent issue of *Toronto Life* how the most persuasive New Democrats went to her and persuaded her to take on this responsibility in public service. Can she explain why she would allow herself to be pried out of her Jaguar and come up with a situation in which \$1 million is all she can promise, which is rejected by these food banks, and say that that is adequate policy?

Hon Mrs Akande: I have said and I am willing to repeat if necessary, and it seems so, that in fact our addressing poverty has taken several stances and that the \$1 million is not the way we seek to deinstitutionalize food banks. While the member does mention that there are 18 food banks that do not want the money, on my desk are requests from several food banks in many areas that do. The way we have made that money available allows those people to make the choice, which obviously they have made, to access it if they need and if they want it and ignore it if they do not.

Mr Nixon: I have the impression that the honourable member is one of the ablest, one of the most influential

and, if not now, in the future will be one of the ministers with the most influence on decisions in the government. Having heard what she has said, why can she not now set a target? Why can she not stand in this House and say that as far as the government of Ontario is concerned, there will be no food banks in operation after 1991?

Hon Mrs Akande: I have stated several times this government's intention to deinstitutionalize food banks. I have not, because I do not have a crystal ball, said it would happen this year or next year, but I have stated that we have begun on a deliberate and a determined and an effective plan to move towards the deinstitutionalization of food banks, and so we shall continue.

HIGHWAY CONSTRUCTION

Mr Harris: I have a question for the Premier. In response to the question from the leader of the Liberal Party, he indicated today that he thought the communication plan for announcing the cabinet decision was inappropriate and wrong; he has passed that judgement and has asked for and received an apology from the minister. I believe that was the sum context of his response.

In the statements that were made to the House by the two ministers, they said they did not communicate the cabinet decision, that there was no communication until Monday morning. Can the Premier tell me what was wrong with the communication plan if in fact they did not communicate anything, according to the statements they have given us today?

Hon Mr Rae: Let's be very clear on what has been said, what I think has been said over the last two days by both ministers as well as by me. What was communicated to the alderman was the date of the announcement, the fact that an announcement was going to be made at such-and-such a time. I think, as the Minister of Colleges and Universities also said yesterday, that it is quite possible that a reasonable inference from that would be that the decision was going to go in a certain direction.

Let's put this in some perspective for what has taken place. A cabinet decision was made on Wednesday. That decision was final and that decision was made. How that decision is communicated is a decision of ours.

All I am saying is that, as leader of the government, I would have much preferred it if everyone, the regional chairman and others, had been told earlier with respect to what took place and had been communicated with on an equal basis. It is precisely the perception that the leader of the third party raised in his answer to the statements that obviously concerns me. It is that perception that I am not happy with, and I think it needs to be changed. It is because I am not satisfied with that perception that I have indicated that to the ministers. I would stand by the view that, again putting it in perspective, the cabinet decision was made on Wednesday. How that decision is communicated after that discussion is clearly a decision for ministers. I am just not satisfied with the way it was done. That is all I am saying.

1450

Mr Harris: I want to be clear and I think the Premier has clarified it. In response to the question, he originally said he was not satisfied with the communication plan. Now what he is telling me is he is not satisfied with the notification of when the decision would be communicated but he accepts that there has been no breach of cabinet confidentiality. He accepts in his decision that there had been no communication, no discussion until Monday morning with any of the other members who have been mentioned, the other aldermen or with anybody who should not have been notified of this decision.

I want to be clear, because I have indicated that I agreed with the Premier in his original assessment until I heard the statements today. Am I correct in my assessment as to what the Premier thinks took place and what the appropriate action was?

Hon Mr Rae: What I think took place is what is described in the statements today. What I have said to the leader of the third party, what I have said to the Leader of the Opposition and what I will say again is this: that in my view what should have happened is that a decision should have been made by the minister with respect to the timing of the announcement. Everyone should have been equally informed as to when that announcement was going to be made, and that basically should have been it.

I say to the leader of the third party that is not what happened. But do I think that there is such a substantial offence in terms of the real public interest that is involved here to require somebody to resign or to require my dismissing him? My political judgement there and my judgement as Premier in this regard is no, not in this circumstance. Ultimately, it will be the member opposite and others and members of the public who will judge as to whether that is a fair response from me as Premier or not. I can only say that is the view I have taken and I think it is the right view.

Mr Harris: Quite frankly, I think I have been very clear, in spite of the nitter-nattering from the Liberals to my right here making it very difficult to hear and speak.

The Speaker: I am having difficulty hearing the leader of the third party, who is placing a very important question on what I take to be a very serious issue. I think he would appreciate the opportunity to place his question.

Mr Harris: I think it is very clear. The Premier keeps coming back to his judgement in response to my question and I have not questioned his judgement in that area. I think I made it clear in the response to my statement what I thought was wrong, inappropriate and not right, and I think the Premier has responded to that. I accept that on behalf of the Premier.

However, in view of the statements that were made today by the ministers, in view of the information that we have in the paper, in view of the fact that I think the public perception would be very, very difficult to be perceived to be other than the fact that there was not just the date of the communication but communication as well of the decision, and in view of that perception, would the Premier agree to refer this matter to a committee so that we can hear from

the ministers, we can hear from those others who were involved, we can get to the bottom of this and we can clear this up once and for all?

Hon Mr Rae: This forum is a place for us to have these exchanges and I am quite happy to respond as directly as I can to the leader of the third party. I think that what has taken place, as I see it, is this: A cabinet decision was made on Wednesday with regard to our view on the Red Hill expressway. The decision as to how and when we announce that and how and when we communicate that is a decision that is made by the government collectively, by a minister individually, as to how that takes place.

I think one wants to put this in some perspective with respect to what has taken place. I think the action that has taken place, I think the statements that have been made by the minister today have been clear. I think my response has been clear and I think that is the conclusion that we have reached.

Mr Harris: I want to do this very delicately, because I think I have been most co-operative with the Premier in this whole matter up until today. The statements that were made by the ministers are quite contradictory not only to the public perception but to the believability that anybody would have if he read the other evidence. I think this is a much larger issue than the communication plan. I am dealing with the statements that were made by the ministers today. In order to get to the bottom of that, would the Premier agree that it would be appropriate to have a legislative committee look at this matter to determine what was said to whom and when?

Hon Mr Rae: Let me say this to the leader of the third party: Two statements have been made by ministers. I think it is a fundamental premise of our parliamentary democracy that when an honourable member makes a statement with respect to what took place, that statement is accepted by honourable members. I would say to the leader of the third party that I accept the statements that have been made by the ministers as a description of what has taken place. If the leader of the third party is saying that he does not accept those statements or that he does not believe those statements, then as he knows, that is the most serious accusation that one member could make against another. I accept the statements that have been made by the ministers as their experience and the truth that they have experienced and they are relating to the House. I think we have to accept it on that basis.

I do not know any other way in which we can do business as a Legislature except to say that when an honourable minister stands in his place, accepts responsibility for his actions, says that a mistake has been committed, apologizes to those who have been affected—it seems to me that ought to be sufficient for the members of this House to understand and to appreciate what has taken place. I think we have to work on that basis. If we do not work on that basis, it is obviously very difficult for us to do business with one another.

Mr Harris: I appreciate what the Premier is saying. We have to operate on that basis and it is very difficult to operate and have credibility unless we do. However, there

is a perception—and I would suggest to him that the perception would be pretty widespread in Hamilton—that what has been reported today in fact is not the case. If the Premier accepts that, that is fine. I can accept that. That is fine. But I think we do want to deal with the perception. I think we do want to deal with the public. I think we do want to clear the ministers of any cloud of suspicion, if that is indeed important to the Premier. I think it would be. It is important to me and I think it is important to the people of Ontario. Can the Premier tell me what we can possibly lose from having this referred to a committee so that we can hear from others and satisfy the public and the House once and for all?

Hon Mr Rae: Let me make this point again, because I think it is quite fundamental. The two ministers have stood in their place today and have made a statement. That statement is one that I accept. That statement is one that reflects the conversations that I had with the ministers who were in my office this morning.

1500

If the leader of the third party is saying that he does not believe those statements, that he does not accept those statements or that he disagrees with those statements, I wish he would say so, because it seems to me that is a fundamental point. I am telling the leader of the third party that I believe it is fundamental to the way this place works that when a minister stands up in his place and says, "This is what I said, this is what happened, this is what took place, this is what I did," we accept that.

What the ministers have said is that a mistake was made with regard to the communication of a decision that was already made by the cabinet. Let's put that in perspective. The mistake was made, and in my view a mistake was made. I have said that to them and I have indicated that to the House. An apology has been forthcoming. In my view, given what has taken place, that is a reflection of what has happened.

Mr Harris: Accepting everything that the Premier has said, accepting everything the minister has said, accepting that the Premier accepts everything the minister has said, would the Premier agree to set up the committee so we can call before it Mr Hinkley, who said he was informed of the decision Friday night after a meeting with the area NDP members of the Legislature. "I had to hold on to what I knew," he said last night." This is a direct quote in the *Hamilton Spectator* of 19 December. "It wasn't up to me to inform the regional chairman. I was told the chairman would be informed."

Mr Hinkley, in his statement to the *Spectator*, is not saying he was informed there would be an announcement. He said, "I was informed of the decision." Would the Premier not agree, in light of the fact that this statement is out there, that the perception is out there, that it would be beneficial to have a legislative committee, not pass judgement—he is the Premier; he will be the ultimate passer of judgement—but have a committee that has the power to subpoena witnesses to get to the bottom of what went on and the conflicts between what some are saying went on

and what we have heard from the two ministers in the House today?

Hon Mr Rae: I could only tell the leader of the third party that I am satisfied that the members of the cabinet who have spoken today have told the truth.

Mr Nixon: I want to put a question to the Minister of Transportation. It is based on the fact that the Premier said yesterday he would look into all the relevant facts on this, and yet he has based his decision simply on the direct statements made by the two ministers.

The honourable Minister of Transportation would know that Hinkley has said what my colleague has quoted, and he said further, "I can't recall precisely what he said," referring to the minister's colleague, "but it was pretty clear to me that the expressway was going to be cancelled. I didn't know the specifics of the announcement after talking with him"—that is, the Minister of Colleges and Universities—"I knew what was going to happen."

I would like to ask the Minister of Transportation who accompanied him on his walk through the valley.

Hon Mr Philip: I wanted to visit the valley one more time just to familiarize myself again with the details of the valley and with the construction projects which were on-going. I was not aware that Mr Hinkley would be there. He had offered to go with me because of his intimate knowledge of the valley, and he accompanied me, along with the Minister of Colleges and Universities.

Mr Nixon: Since Mr Hinkley indicated that he had known Friday that the road was to be cancelled, can the minister confirm or deny that the matter was discussed in those terms, and at the same time can the minister deny that he told Mr Hinkley that it would be stopped?

Hon Mr Philip: During the tour of the valley with him, we talked exclusively about the nature of the valley. We did not talk about the announcement, when it would be made, nor did we talk at all about the contents of the announcement, nor did he ask me about either of those topics.

Mr Harris: I am tempted to ask questions on this matter all day and I am not sure we are going to get any different answer. I would hope that the Premier will reflect on how his government appears before dismissing allowing a committee to get to the bottom of all this.

SOCIAL ASSISTANCE

Mr Harris: I would like to ask the Premier a question on a different matter. I know he shares my concern for the children in this province who are going hungry. Some statistics say that one child in six lives in poverty. In Metropolitan Toronto alone that represents more than 110,000 children. I know he shares my concern, because he has raised the issue in the House before as a member of the opposition and again during the election.

Would the Premier not agree with me that the \$1 million he has announced for the food banks, which the food banks say is inappropriate, not the way government should be responding—it should not be institutionalizing food banks and in fact may affect the credibility of the program with respect to private sector donations. Would the

Premier agree with me that the \$1 million might not be better spent on a breakfast program for children in schools?

Hon Mr Rae: I say to the leader of the third party that I agree entirely with him that the \$1 million is not in any sense a solution to the problem of child poverty and I agree with him very strongly that a food program in our schools is something that we need to be looking at as a government.

But I would say to him with respect to the \$1 million, how the \$1 million is used and who applies for it and which food banks use it in what ways is something about which the government has said we are going to be very flexible. There are some food banks that will use it for advocacy. There are some that will use it, frankly, for food because of the particular emergency situation that they are facing in different parts of the province. Those food banks that decide they do not want to have anything to do with it and do not think it is anything they want to touch with a 10-foot pole, that is their decision, which we respect entirely.

What we are responding to is a situation around the province—in Ottawa, Hamilton, northern Ontario, northwestern Ontario and southwestern Ontario, as well as in Metropolitan Toronto—where some food banks have said, "Yes, we do need to draw on this \$1 million." But the leader of the third party's suggestion for a food program is obviously something that the government is looking at.

Mr Harris: It may be something that the government is looking at. It is a proposal that our party made during the past election campaign and the Liberal Party made during the past election campaign. It is a proposal that I believe can be developed in concert with the private sector and with the schools that many can buy into and will provide at least one nutritional meal every day that school is in session for children who are living in poverty.

I would ask the Premier, because I am one who says you cannot have new spending without examining priorities, to reflect on his \$1-million commitment, to reflect on the integrity of the food bank program, to accept the advice of the majority of the food bank advocacy groups that are saying that now that the perception is that the government is funding them, they will have more difficulty in assistance from the private sector in meeting the short-term goals. Everybody agrees it is not a long-term goal.

Would the Premier not reflect on that now and agree with me that a better use of the \$1 million would be as seed money to work with the schools and the private sector to provide directly a breakfast program and get help there immediately for children who are hungry?

Hon Mr Rae: There already are breakfast programs in some schools across the province; not as many as we would like to see and not as many as, no doubt, are needed.

I say to the member that looking overall at the general response of our schools to the problem of hunger among their pupils and the needs of the school system to respond to that is something which is of great concern to us. It was

expressed in the Maloney report, which the Minister of Community and Social Services was a member of, and I know that the minister, as a former principal of an inner-city school in the city of York, is very much aware of the relationship between poverty, hunger and kids' ability to do well at all in school.

So we are responding to that and we will be responding further to it, but we stand by our commitment with respect to the question of emergency funding. There are such a variety of needs across the province with respect to the current food banks that we feel that the way we have responded is the right way to respond.

1510

HEALTH CARDS

Ms Haeck: I have a question for the Minister of Health. My question is with regard to the health card. I understand that this health card will be in use as of the new year. Luckily enough, I have mine, but I know that not all people have theirs. I have learned from some of my constituents in fact that they have not received theirs. Even if they apply now, I would assume that it is going to be rather difficult for them to have it by 1 January. My question to the minister is, will these people be able to access health services without this card?

Hon Mrs Gigantes: I am pleased to tell the member that yes, they will be able to get health services with their old OHIP card until the end of June next year. There will be an extra effort made to try and help people who have applied late or are applying late or who may not know of the need to apply. I am hopeful that by the end of June next year everybody in Ontario who is eligible to have a health card will have one. People can begin using their health cards, if they have them, at the beginning of 1991.

Ms Haeck: There are also residents of my riding who may face particular barriers in obtaining a new health card. I am referring to people who never received the application form through the mail because they do not have a permanent address. Others may have difficulty filling out the required form because their reading and writing skills are not adequate. Can the minister tell the House what action she is taking to ensure that these people will be registered for a health card.

Hon Mrs Gigantes: I cannot claim personal credit for this. The Ministry of Health had begun planning for these kinds of difficulties before this government was elected. There are still one million Ontarians who are not enrolled and many of them are in the situation described by the member.

Extra efforts are under way to provide all service providers with information about how to assist people to get their health card. Outreach communications have gone on with services that provide temporary shelter for transient people, for example, and also literacy groups and community health centres and health service organizations in this province are being provided with special information to help them enrol people they know who may be without their health cards.

HIGHWAY CONSTRUCTION

Mr Scott: I have a question for the Premier. I want to begin by saying to the Premier that I interrupted aggressively during question period because I must frankly say to the Speaker and to the Premier and to the House that I was very upset.

I have been here five years and have fought three elections with the Premier on the other side, and I have heard him stipulate the highest standards of personal and governmental conduct that should be imposed on all of us. I believe the Premier. I believe that those are his standards. I believed when they were exacted from others at very considerable pain and price. I believed that if he stood for nothing else in government, he would stand at least for the implementation of those standards.

The Premier has constituted himself with the background of those standards, which he applied to those he found guilty in the last five years, the single judge and jury of the facts. Now the facts we have here are that he has interviewed two ministers. There are other witnesses out there, aldermen in the community, who have a different view of what happened.

I ask the Premier, is it not clear from the evidence that is before him now, and indeed from the admissions of the ministers themselves, that they have breached their oaths and committed the most serious offence that a member of the executive council can commit? Does the Premier not agree that either that is clearly the case or it is at least arguably the case? Can he answer that question?

Hon Mr Rae: I hope the member will extend to me the same courtesy as I have extended to him in listening to his question. In trying to answer it as clearly as I can, my own view is that if a cabinet minister, for example, prior to a decision being made, deliberately leaked information with respect to a discussion that was ongoing in the executive council, that would obviously constitute a breach of the oath. What we have here is an entirely different situation, and I am sure the former minister would hear me out in this regard. I am sure his colleagues will also hear me out in this regard.

When a decision of the executive council has been made, how that decision is to be communicated, the way in which it is to be communicated, is a decision of the minister, a decision of the government. I say to the member for St George-St David, in my judgement the communication was not well handled. It is clear from the statement that was made by the Minister of Colleges and Universities that it was certainly a reasonable inference from the discussion that took place that in fact a decision was going to be made on Monday with respect to the Red Hill Creek Expressway, and that the decision would be not to proceed with the expressway. That is granted, and that is granted in responses to the questions that have been posed by the leader of the third party.

The question that I have to answer is—the former Attorney General is certainly entitled to his view and to be critical of me—is this a mistake of political judgement or, to use the colloquial phrase, is it a capital offence? In my judgement, it is a mistake of political judgement in the sense that the regional chairman and the mayor were not

equally informed of the timing of the decision and were not party to other discussions.

I think that is a mistake and I have accepted that. I have said that. It has been accepted by the ministers. All I am saying is that I do not regard it as grounds for firing ministers from the cabinet, and that is a judgement I have made. If the member wants to be critical of that, that is fine. Ultimately it is the people who will decide whether the standard I have applied is a fair and reasonable one. I think it is a fair and reasonable one. A mistake has been made, a mistake has been admitted, but in my view it is not a capital offence and that is the judgement I have made as Premier of the province.

Mr Scott: I do not have to tell you, Mr Speaker, that the Premier is a person of very great ability and a very distinguished lawyer, but I will tell him that when I heard him then speaking as judge, he sounded more like defence counsel to me.

There is nothing in what he says. The oath very clearly says—perhaps he has not read it lately, since his swearing in—“I will not discuss the decisions of the executive council outside the council without the consent of the council.” On everybody’s admission, that offence has been committed. The councillor in Hamilton says clearly that discussion took place on Friday night. The reality is that the Premier can be defence counsel all he wants, but if he is going to be judge he has to take account of all the facts, not simply what the accused tell him, but all the facts that come before him as judge.

I ask the Premier in this circumstance, as a fair-minded judge would be asked, what is wrong with allowing his decision, based on part of the facts, because he has not met the alderman, to be reviewed by a committee, the very thing he would ask for himself if he found himself in this situation? What is wrong with that? Is that not fair? Is that not something he would have expected? Is that not part of the standards he has imposed on others in the past, and can we have it from him now, please?

Hon Mr Rae: I want to make two points in response to the member for St George-St David. First of all, I am glad he read out the whole oath, because when he was shouting out before and when the Leader of the Opposition was quoting from the oath, he did not read out the whole oath.

Mr Scott: I read it.

Hon Mr Rae: Exactly, and I appreciate the fact that he did that.

Mr Sorbara: Give us a break.

1520

Hon Mr Rae: I say to the member for York Centre that we have heard the views and questions from the other side very quietly and I think we are entitled to try to answer as best we can. They may not like the answers, but it seems to me we are entitled to the courtesy in trying to respond to them.

The question is, “without the consent of the executive council.” Now, the decision was made on Wednesday, the decision to announce the decision was made on Wednesday, the political decision on the part of the government

that we will make this announcement and that the announcement will be made was made on Wednesday by cabinet. No one in cabinet has a privilege which has been offended by what happened. What took place was a political mistake with regard to how the message was communicated.

I do not think the facts are really in dispute. It is all accepted. There was a considerable impoliteness to the regional chairman and to the mayor of Hamilton. I accept that and I accept the implications of that for which we fully apologized. I simply stand by my view and I stand to be judged by the public of the province of Ontario. Do I really think that this is something that warrants the dismissal of the Minister of Colleges and Universities and the Minister of Transportation? My response is no, I do not think it does.

Mr Harris: I accept the Premier’s argument on the communication plan. It was a rotten plan. He has said it should never have happened that way and will not happen that way again in the future. He has asked for an apology and he has got it.

I am interested in the two statements that were made today by his ministers who said they did not communicate the decision to anybody. I am interested in those two statements versus Mr Hinkley’s statement that this decision was communicated to him. Now the only people that knew were the ministers. Mr Hinkley says he knew Friday. That is what I am interested in. That is what I think the public is interested in. That is what I would be doggone concerned about if I were Premier, in finding out the truth and in making sure that came out.

Can he explain to me what possible objection he could have to having a committee look at this, call witnesses before it and let us find out what was said to whom.

Hon Mr Rae: I just want to remind the leader of the third party of what has already been stated publicly by various ministers.

The Minister of Colleges and Universities said yesterday that while he did not communicate directly the substance of the decision at the meeting which took place on Friday evening, it would have been an entirely reasonable inference from that meeting that in fact a decision had been made not to proceed with the Red Hill Creek Expressway. He has admitted that.

What I am saying to the leader of the third party is the reason I am making the judgement I am is that I do not think the facts are really in dispute here. I really do not. I think what is at issue here is a question as to whether or not what took place was an error sufficient to cause two ministers of the crown to lose their jobs and their overall political responsibility, which 10 weeks ago I gave them as members of the executive council of the province.

As Premier of the province, I think a political mistake has been made in terms of how a communication was made from a cabinet decision. There has been no breach of cabinet consent with regard to the announcement of that decision. The people whose privileges have been affected or whose sensibilities have been affected by this, the impoliteness, is not towards members of the cabinet or to

anybody else; it is to the members of the regional council and it is to the chairman of the regional council and it is to the mayor of the city of Hamilton, to whom I apologized, to whom the members have apologized and whom we are determined to make things right by the quality of the work that we do together in the future.

Mr Harris: I would like one more time to read him the two statements that cause me concern.

The Minister of Colleges and Universities, "I want to underline that at no time was the substance of that decision conveyed to anyone prior to the information given to the regional chairman at 8 am Monday."

Hinkley, "I was informed of the decision on Friday night after the meeting with the NDP members of the Legislature." Now Mr Hinkley does not say: "I deduced from the fact that they were going to make an announcement, guessed correctly. That's how I knew." He says, "I was informed of the decision."

I would ask the Premier one more time, can he tell me what possible objection he would have to a committee calling before it all those who are involved in this case so that we can clear up this once and for all. If it is, as he says, just a perception, I would think it would be important enough for that. As others believe, perhaps it is more than perception. Can the Premier tell me what possible objection he has to that.

Hon Mr Rae: I want to say to the member, and I can only give the answer I have given before, as I understand the fundamental ways this place works, when a minister stands in his place, says that he made a mistake, says that a mistake was made and apologizes to those who were affected, in my view, in this circumstance, with regard to the circumstance in question and what has taken place, I regard that as an admission by this government that a political mistake was made. I do not view it as grounds to fire two cabinet ministers who have a great deal to offer to the people of this province, who have learned a great deal, I would suggest, from the mistake they have made and who I think have fulfilled their jobs in every respect in terms of their other responsibilities effectively and most capably. In this circumstance I am standing by the decision I have made to carry on with the way we are doing.

COURT FACILITIES

Mr Lessard: The Premier may be relieved that my question is not going to be directed towards him. My question is with respect to a commitment made by the previous Liberal government respecting a courthouse that was promised for the city of Windsor and there—

Interjections.

The Speaker: We are now ready for a question posed by the member for Windsor-Walkerville.

Mr Lessard: My question has to do with a commitment that was made by the previous government with respect to replacing the provincial courthouse facility in the city of Windsor. My question may be directed towards the Minister of Government Services. However, I know the Attorney General is very concerned that there are adequate court facilities in the province of Ontario so that

problems related to delay that we are experiencing right now do not occur. My question to the Attorney General is whether that commitment that has been made by the previous government to replace the courthouse in the city of Windsor is still going to be honoured by this government.

Hon Mr Hampton: I want to acknowledge the member's interest in this issue. I know that it has caused great interest in the city of Windsor. I can tell the member that a construction site has been purchased in downtown Windsor and a fully consolidated court building has been chosen as the alternative to be proceeded with. We will have to proceed to Management Board for final details. We hope to be able to do that some time in the new year.

Mr Lessard: I wonder, after that next step has been taken by the Attorney General, when an announcement may be made with respect to when construction can start.

Hon Mr Hampton: I want to say to the member that if a positive answer is received from Management Board some time in the new year, construction ordinarily would be able to start within two years.

1530

HIGHWAY CONSTRUCTION

Mr Elston: Would the Premier tell this House and the people who are watching on television what he has to fear from taking the matter concerning his two ministers' breach of their oath to a committee of the Legislative Assembly?

Hon Mr Rae: I have already stated that is my view—and I accept responsibility for this view—that there has been no breach of the oath. If the member would read the oath fully, there has been no such breach. That is the premise of the member's question. I do not agree with the premise of his question and therefore I think the decision that has been made, that the members should apologize to the House, should apologize to the regional council, should apologize to the chairman, should apologize to the mayor, should recognize that a mistake has been made—but in my view not a fatal mistake—and not one which requires what we would all share the view of being the most serious disciplinary standard that can be applied by the Premier, and that is one of dismissing them from the cabinet. That is the judgement that I have made. It is a judgement for which I in turn will be judged by the ultimate judge, which is the people of the province, as well as by other members of the House, and I stand by that judgement.

Mr Elston: I wonder if the Premier of the province might indicate if there are other changes being made to the conflict-of-interest guidelines and other terms of conduct which have been referred to the standing committee on general government of the Legislative Assembly, and whether he might not consider it appropriate that this matter be referred to that discussion if he will not have a separate discussion surrounding his two ministers' political judgement inabilities, I guess is the best way to describe it. Will he allow us to consider in the terms of the conflict-of-interest guidelines discussion—

Interjections.

Hon Mr Rae: Now, the member is accepting what I think is the fact in terms of the premise of his question, that there was a mistake in political judgement, and if every time there is a mistake in political judgement that is a matter that is going to be dealt with outside the House, my view is that I have made a judgement as Premier. I stand by the judgement. I think the cabinet stands by the judgement and the view that there has been no breach with respect to the consent of the executive which is referred to in the oath.

The clear political responsibility that I have as Premier is to point out to ministers when I feel they have made a mistake, to ask them to apologize when they have made a mistake. I am not saying to the member that I am entirely happy with what has happened; obviously I am not. But I am also exercising my political responsibility as Premier of the province to say, as I said in the throne speech, that when mistakes have been made, they will—

The Speaker: Stop the clock, which allows the member for Carleton to ask a question.

COURT SYSTEM

Mr Sterling: I would like to ask the Attorney General a question. I sent him over a news clipping from the Ottawa Citizen today. It is about Gregory MacMillan, who drove an overloaded subcompact car with seven other teenagers into a five-ton truck in October 1989. Three young people died as a result of that. Mr MacMillan was charged with dangerous driving causing death.

Yesterday provincial court judge Bernard Ryan stayed the prosecution because MacMillan had waited eight months and twelve days for his trial. Outside the courtroom the 19-year-old MacMillan smiled and joked in front of TV cameras after his charge was stayed. Judge Ryan said it was a final embarrassment for him with regard to the justice system. Will the Attorney General appeal this case on behalf of the three families who lost teenage sons?

Hon Mr Hampton: I want to thank the member for giving me notice in advance that he was going to ask this question, because it is a very serious question. It is one of the tragic cases that have been dismissed from our courts as a result of the Askov decision. I appreciate the seriousness of it; I can tell the member at this time that I am advised that an appeal is being considered.

Mr Sterling: Could I just ask—

Mrs Marland: Let's have all-party agreement or something.

Hon Mr Rae: Agreed, if he has got a supplementary.

The Speaker: Well, we can do just about anything with consent. Is there consent to allow a supplementary?

Agreed to.

Mr Sterling: My understanding is that when a charge is stayed, there is a 12-month period that starts to march on and that after 12 months, prosecution cannot continue on those particular charges. There are thousands and thousands of those stayed charges that are out there. There have been a lot of questions as to the meaning of the Supreme Court of Canada ruling as to how strict it is to the

eight months, whether it applies to the provincial court, etc.

I would suggest to the Attorney General, and I am pleased with his openness in terms of considering this, but if there ever was a case to establish a precedent, I believe that this is the one. If in fact the Attorney General wants to save any of those court cases that have been stayed, he must get on with an appeal in at least one or two cases. I urge him to consider this as one of the test cases.

Hon Mr Hampton: I appreciate the suggestion from the member and I want to indicate to him and to all members of the House that there are currently before the Ontario Court of Appeal a number of cases similar to this in the sense that they will give the Ontario Court of Appeal the opportunity to state very clearly, very directly, whether or not the Supreme Court of Canada guidelines do apply to the Provincial Division courts, exactly to what extent they apply, and what the length of time that a charge may remain in the Provincial Division will be.

The Court of Appeal has a number of appeals before it now. They will have the opportunity to give a decision on this very shortly, and they have been invited by crown law officers to give that opinion. We are hopeful that we will have the kind of information we need to deal with these kinds of cases very shortly in the new year.

VISITOR

The Speaker: Members may wish to welcome a visitor to our galleries who has observed the entire proceedings so far this afternoon, Sergai Holovoty, a member of Parliament from the Ukraine.

MOTIONS

HIGHWAY CONSTRUCTION

Mr Elston: I move, given the serious breach of integrity and breach of cabinet oaths, that the standing committee on general government be directed to meet to investigate several unanswered questions regarding the cabinet decision on the Red Hill Creek Expressway; that this committee hear testimony from the Minister of Colleges and Universities, the Minister of Transportation, NDP Hamilton city councillor Brian Hinkley, and any other individuals the committee may deem appropriate; that given the gravity of the matter and given the government's commitment to restore public confidence in the integrity of government, this business be addressed on a priority basis in the committee's order of business and that the committee report back to the House upon its return in March 1991.

The Speaker: The member may already know that the motion is out of order, but it is of interest.

Mr Elston: We gave unanimous consent today for those ministers to come into the House to make their statements and we agreed to proceed on the basis that we would get something of an explanation on this and that there would be some fulfilment of an airing of all of the circumstances around this. I think that we might just as well have unanimous consent to allow the committee to go ahead and investigate this so that there will be no fear or

no apprehension of fear on the part of the ministers that their full story is not available and that in fact Mr Hinkley, who is a councillor from the city of Hamilton, who I presume is very much involved in this thing, can put his story in places other than in the newspaper forum.

I think it is important to all of us, under the circumstances of this being probably the last day of the House, that we be allowed some latitude and leeway. The statements were brought to us by surprise. We were told late in the afternoon that they were coming on at question period time, and I think we should allow this to go to the committee or at least bring it on so that we can vote on it to understand—

1540

The Speaker: I understand the point made by the member for Bruce.

Mr Scott: They're too gutless, every one of them. They're afraid of the answer, that's what they're afraid of. We know. We understand perfectly. We went to committee; they wouldn't dare.

The Speaker: I will be able to rule once the member for St George-St David is quiet.

I will indeed ask for unanimous consent. Is there unanimous consent to deal with the motion? No.

SELECT COMMITTEE ON ENERGY

Miss Martel moved that, notwithstanding any standing order, the Chair of the select committee on energy in the second session of the 34th Parliament, the member for Halton Centre, be permitted to present to the Legislature a background report to the select committee on energy by the Royal Society of Canada on Carbon Dioxide Emission Reduction Potential in the Industrial Sector.

Motion agreed to.

PETITION

HERITAGE PRESERVATION

Mr Winninger: I have a petition signed by 42 owners of heritage properties in London, all of whom support the immediate passage of Bill 18.

I support that petition as well.

REPORT BY COMMITTEE

SELECT COMMITTEE ON ENERGY

Mrs Sullivan from the select committee on energy presented a background report prepared by the Royal Society of Canada for the select committee on energy appointed in the second session of the 34th Parliament entitled Carbon Dioxide Emission Reduction Potential in the Industrial Sector.

Mrs Sullivan: I want to thank the House leaders and members of the assembly for providing an opportunity for the select committee on energy from the 34th Parliament to table a report to this Legislature.

Several members who participated in that committee work have returned to the House, including the member for Hamilton Mountain, the Minister of the Environment and the member for Algoma-Manitoulin. I would like to

acknowledge their work, along with that of those past members who were not returned to this place.

The mandate of the select committee was to examine the greenhouse problem in Ontario and to look at scenarios for controlling, stabilizing or reducing carbon dioxide emissions in the province within the context of national and international actions. As well, the committee was asked to consider the types of public policy or public initiatives which could limit the adverse environmental and economic effects of carbon dioxide emissions.

During its first phase, the committee brought to Queen's Park many senior national and international scientists and diplomats to review the state of current thinking on the greenhouse effect and the national and international links and problems which this unique environmental issue presents. In what was, I believe, a special and innovative arrangement, the committee engaged the Royal Society of Canada to provide particular scientific and technical counsel and expertise. That contract provided us with a useful and learned source of knowledge. Advice which was put forward was independent of special interest, and committee members were assured of a solid grounding in and explanation of scientific projections and conclusions.

The committee has already presented one interim report to the House in the last session. In the second phase of its work, the committee commissioned a research report through the Royal Society. This report examined the technical potential for reduction of carbon dioxide emissions for major industrial energy users in Ontario.

It was to have been circulated to interested parties as a prelude to their participation in the public hearing phase of the committee's work. Many of those parties had already submitted papers relating to their specific circumstances. Others were waiting for this report to complete their documentation for the committee.

The report which I have tabled today was prepared for the Royal Society and for the committee by Dr Danny Harvey of the University of Toronto. Its focus is on what could be possible if one were determined to rapidly and aggressively reduce carbon dioxide emissions while maintaining a healthy economy. It speaks directly to the need for new and emerging technologies that could lead to significantly reduced energy use and associated carbon dioxide emissions in each of the major energy-consuming industries in Ontario. It recognizes that energy savings through retrofits in the near term will not be sufficient to even hold industrial carbon dioxide emissions constant and that new processes and technological applications will be required. It also points out the need for further research and development work to come to terms with the changes required and for government policies and programs that will drive those changes.

I think I can say for all members of the select committee that we regret we were unable to present a final report to the Legislature. Nevertheless, we all hope that this research document will be useful in further discussions, programs and policy development, both in this place and elsewhere, on the greenhouse problem.

INTRODUCTION OF BILLS

INTERVENOR FUNDING PROJECT
AMENDMENT ACT, 1990LOI DE 1990 MODIFIANT LA LOI SUR LE PROJET
D'AIDE FINANCIÈRE AUX INTERVENANTS

Mr Chiarelli moved first reading of Bill 39, An Act to amend the Intervenor Funding Project Act, 1988.

M. Chiarelli propose la première lecture du projet de loi 39, Loi portant modification de la Loi de 1988 sur le projet d'aide financière aux intervenants.

Motion agreed to.

La motion est adoptée.

Mr Chiarelli: At the present time, the Intervenor Funding Project Act provides that public interest groups may apply for intervenor funding for Ontario Energy Board and Environmental Assessment Board hearings. The purpose of the proposed amendment which I am reintroducing today is to extend application of the act to provide a level playing field for public interest groups appearing in major Ontario Municipal Board hearings and to include municipalities as eligible funding sources.

TOWN OF MARKHAM ACT, 1990

Mr Cousens moved first reading of Bill Pr38, An Act respecting the Town of Markham.

Motion agreed to.

Mr Cousens: The purpose of this bill is to enable the council of the Corporation of the Town of Markham to exercise greater control over the issuance of demolition permits for buildings which are designated under the Ontario—

The Speaker: My error, it is a private bill. It does not involve an introduction.

MORTGAGES AMENDMENT ACT, 1990

Mr Hampton moved first reading of Bill 40, An Act to amend the Mortgages Act.

Motion agreed to.

Hon Mr Hampton: The law now recognizes the interests of tenants in staying in their homes, and the ability of landlords to evict tenants is strictly limited by the Landlord and Tenant Act, which is backed up by the courts, but at present there is a gap in that protection. Where the landlord defaults on the mortgage on the premises, the courts have held that the mortgagee in possession is not bound by the tenancy agreement and can evict tenants without regard to the Landlord and Tenant Act. The legislation we have introduced today will ensure that tenants who reside in premises where the mortgagee is in possession will have the same protection as tenants in other cases under the Landlord and Tenant Act.

1550

ORDERS OF THE DAY

EDUCATION AMENDMENT ACT
(MISCELLANEOUS), 1990

Mrs Boyd moved third reading of Bill 12, An Act to amend the Education Act.

Mrs Cunningham: I would like to make a short statement on the bills we have before us at this time. I would like to begin by thanking the minister for her time, for her input, for her openness and for her willingness to work with all committee members during the public deliberations of Bill 12 and Bill 13. It was definitely very refreshing. I think all members would agree that the hearings allowed the education community the opportunity to make constructive suggestions for improvement, many of which have now been incorporated into Bill 12.

Although some of the concerns that were brought to our attention have been addressed, we still do not agree that the Minister of Education should have the power to create additional French-language school boards by regulation. Our party feels that new boards should only be established by a bill brought before this House for full deliberation. For this reason, we will not be supporting these bills at third reading. Our decision not to endorse this substantial change in how additional boards are created in this province must not be interpreted as a statement against minority-language rights. We worked with the minister to make improvements in her legislation and we understand the realities of the day. It is simply that the Progressive Conservative Party does not agree with endorsing government by regulation.

If the minister were to withdraw these bills and bring forward an individual bill for each new board, I am sure the members of all parties would give them their careful consideration and support. We are voting against these bills as a matter of principle, but we will continue to work with the minister in her endeavours.

During the course of the public hearings of the standing committee on social development, there were a number of presentations that indicated that others share our concern. The Ottawa-Carleton French-Language School Board was created by Bill 109 after many months and years of deliberation; definitely, as a first it took much too long. However, a representative from that board indicated that he would not want the minister to have the power to make changes by regulations. This is a board that is experienced in these matters. He indicated that change is needed to resolve such matters as a \$10-million debt, but that this change should be in the form of legislation.

The challenges that we face in these economic times are very real. The challenges that we face in creating more new French school boards are very real. But we think the real challenges should be met up front, openly and honestly, board by board, and that this government should indeed make it a priority.

Before creating additional French-language boards, we should look at our two existing boards to determine what has worked and what has not. We should solicit their advice and help them resolve their problems. It was brought to our attention that this has not been done in the most open way that it should have been. For this reason, I think the government should take note that the Ottawa-Carleton French-language board does not endorse the creation of new boards by regulation.

We should be learning from past experiences. We have so few of them in Ontario, but the time, commitment and

energy that went into them was very real. People who have put their efforts into making something work would have much good firsthand advice, I believe, for the minister and this government.

There was a second presentation I would like to highlight. Gilles Fournier, chair of the section de langue française in Prescott and Russell County Board of Education, stated: "We are here out of concern that the government is rushing at breakneck speed to pass legislation without consulting in any form or way the true minority in Prescott-Russell." He went on to add: "What is even more disturbing is that in this proposed legislation the government plans to give power to create boards to the cabinet. The only purpose we can see for giving this power to cabinet is to remove such decisions from careful examination in the public arena, to subvert the goals of democratic society and the commitment to fully consult which has been so often espoused by this government."

Those words should be taken seriously, and during the process of trying to establish French-language school boards where numbers warrant, as I think the minister has shown her intent and for which we give her support, I would hope that if she finds that the process she has embarked upon is not working, she would be brave enough to come back to this House with individual bills.

Once again, I think the minister should take special note of the fact that part of the francophone community that will be directly affected by the creation of a new French-language school board in Prescott-Russell does not want the government to create the new board by regulation. I underline again that if the minister were to withdraw these bills and bring forward individual bills for each new board, I am sure she would receive the support of this House.

I do not think the threat of a lawsuit is really a good enough reason to rush ahead with new boards by regulation. I am sure that if the government shows a genuine commitment to move ahead to comply with the Supreme Court decision, these individuals would not move forward with legal action. What I think has been missing in the past has been just that, a genuine commitment to move ahead quickly. If they did, and I am now talking about the individuals moving forward with legal action, so be it. I strongly believe a government should never be hostage to the threat of a legal challenge. We must always place good government ahead of a hasty solution to a problem.

I would urge the minister to reconsider her decision to create new boards by regulation. Two days of public hearings clearly indicated that interested parties want a process that involves full public consultation. Our party endorses that concept, and that is why we will not support this legislation. I realize that the minister must move forward. I simply object to how she is undertaking to comply with the Mahé decision. Our party continues to believe that school boards should not be created by regulation under any circumstance. We appreciate the opportunity to participate in an open committee process. We commend the minister on the process. We will be watching very carefully the results of this legislation.

Hon Mrs Boyd: I am surprised at the member for London North's statement today, as we reached unanimous agreement in the standing committee on the amendments to this act. I am disappointed in her stance and that of her party. I certainly am not prepared to withdraw these bills.

I would just like to say for the record that negotiations have barely begun in Prescott-Russell. No board is going to be created without full consultation with all the communities involved. That was made very clear to the people in the standing committee and I think in the debate was made very clear in this House.

I do not believe the government is being held hostage. What we are attempting to do is to ensure that we as a government can make public policy without having our hands tied by the decisions of lawyers and judges in a court decision, as has happened so often in the past.

1600

Mr Cousens: I would just like to compliment my caucus colleague the member for London North for the statement she has just made and for highlighting two of the concerns that were very important to me. One is government by regulation. I really appreciate the fact that we have to use the Legislature and this chamber as the place we bring forward important decisions. To have them made behind closed doors in a cabinet, where all the data is not made public, is, I believe, something that undermines our democratic right and the importance of this Legislative chamber. That is a fundamental point. We have fought it in the past, and I am delighted that my colleague the member for London North has raised that as an issue.

I also want to make sure that people see the statement the honourable member has just put into the record. We have no desire to be seen as having opposition to minority rights. That is not at all a position for anyone in this province, but I do believe any decisions that are made with regard to providing additional school boards for special purposes for anyone is something that should be brought to this House, and we should have a far bigger discussion on it.

I remember on an earlier bill when things just sort of slipped by without the public debate and public discussion. We have only had a few days in committee to allow this to be rammed through by a government in a hurry to run away for Christmas—and so are we. But to just rush it through is not the way I feel it should be handled. We are dealing with important issues when it comes to language in this province. If the government has any other agenda when it comes to language services it may not be admitting them here in this House and in committee, but the fact is that there are many of us who believe there is another hidden agenda by this government on language issues.

Mrs Marland: I know these two bills that are before us now for third reading are very significant. It is also very significant that the people pay very close attention to the words from the member for London North this afternoon. It is the process to which we object. It is a very dangerous precedent to have a process whereby this government or any government has the freedom to make those kinds of

decisions without having them come back into this Legislature before all parties.

I do not care who the government of the day is; this kind of precedent is not in the best interests of the people of this province, and it is that process with which we have concern. The questions that could have been asked and further dealt with had there been more time to process these bills through the public process—admittedly they went to committee, but with a very short time allowed for those committee hearings. It is an issue of democracy. To go to the public with committee hearings in a limited time because this government wanted to get these bills rushed through before Christmas is not a process we support, and we hope this will be the first and last of this kind of action by this government that we are subjected to.

Mrs Witmer: I would like to add my voice to those who have expressed concern about the process that has been involved. Throughout the creation of school boards in this province—we have had Bill 30 and now we have had the creation of the French-language school boards—there has been a need for sensitivity and a need for consultation. Unfortunately, in this case that consultation and that sensitivity were not present.

I would ask the Minister of Education that in the future, when school boards are created in this province, she do consult with all individuals involved in order that there is support from all sides.

Mrs Cunningham: It is not often that you get two minutes you did not expect, so I will just say a couple of things that I think are rather important.

I am disappointed also that we could not come to some conclusion about this legislation. I must say in response to the minister's remarks that I think the most important aspect of what we said today was in support of the two French communities which did appear before the committee. Both of them stated their concern about government by regulation, especially creating these school boards by regulation. One was an experienced member of the Ottawa-Carleton board of education, the other was a member of the Prescott-Russell school board, and both share our concern.

One has to realize that in opposition we have a job to do, that is, to bring the criticisms, hopefully constructively and with solutions, to the government. That is simply what we were doing today, and I think we did it thoroughly and in good faith.

We will stand by our principle, that is, that in spite of open public consultation that has been promised by the minister—nothing could be more public, more open, more understood and more agreed to than a public consultation around a bill of this Legislative Assembly. That is why we have that process in our democratic society.

In the history of Ontario, a school board has never been created by regulation. I am standing here today to say that there is a reason for that and our party will not agree to that process.

Mr Beer: I rise to reiterate the views our party has expressed on these two bills. I think it is very important that we not overlook some of the fundamental principles in

this legislation and the fact that in committee we were, I believe in a fair and equitable way, able to work frankly with all three parties and with a number of provincial associations that came before us to deal with some of the specific concerns that have been raised.

I think it is important in this debate to underline again that what we have done in this legislation is ensure that there can be, after following a particular process, the creation of French-language school boards. As I have made clear in a number of instances, in recognizing that right we are also recognizing a reciprocal right that English-language school boards may be created as well.

We have said, and I think everyone has agreed, that we did not want to see the regulatory process being one that was there for ever, so we moved a change to that. An amendment has been brought to the bill which, through a sunset provision, will effectively mean that the power of the government to do that by regulation will end on 1 January 1994 or before, once the consultative process that the government has launched through the French Language Education Governance Advisory Group has been completed and other work has been done. The need to have that power in the interim we felt was reasonable, and with the amendment we were able to accept that.

The second issue that arose, which dealt with the question of the extension on the part of the separate school boards to provide separate secondary programs or to purchase those programs, again was the subject of much discussion with provincial associations and in committee. Again an amendment was brought to make very clear, I believe, the role of the Planning and Implementation Commission, to ensure that if in fact extension is provided it would only be done after a very public process that would involve all those parties to any potential agreement.

In addition, another amendment was brought forward that dealt with ensuring that teachers and others working within the educational system must be consulted before any regulation is provided to create another school board.

1610

I think here it was important to recognize the principles around the creation of linguistic school boards and in effect to make clear that having started the Bill 30 process this was something that needed to be completed in a fair and equitable way, and I believe the process that was created will do that.

It is for those reasons, plus the Mahé court decision and the problem that is faced in terms of potential court action, that we believe there was the need to complete this work and believe we have built into the legislation some necessary and proper amendments which will ensure that there will not be any use of power in a bad or negative way. I believe in committee the minister made very clear that in the process around the potential creation of a school board in Prescott-Russell or in Simcoe, that would be done only after very extensive public consultation. As she herself pointed out, at this point in time there has been no direct request to create those school boards.

We would simply like to indicate that the principles in those two bills are ones that, with the amendments, we are prepared to support.

Hon Mrs Boyd: I wish to emphasize, as has been said before in this House, that the purpose of this action that we are taking under Bill 12 and Bill 13 is in no way to try to abuse the power of this House or to prevent any discussion of these very important issues.

We are faced with a time problem which has to do primarily with the imminence of elections in the 1991 year. If we are to provide those French-language parents with the possibility of governance of their own systems in the 1991 election year, as was promised in an agreement, an out-of-court settlement in 1988 by the previous government, it is necessary for us to pass these bills today to enable the formation of school boards, if those communities are ready and prepared in time to be enumerated for the 1991 election.

I would ask this House to support these bills at this time.

1628

The House divided on third reading of Bill 12, which was agreed to on the following vote:

Ayes-74

Abel, Akande, Beer, Bisson, Boyd, Buchanan, Christopherson, Churley, Cooper, Coppen, Cordiano, Dadamo, Drainville, Duignan, Elston, Fawcett, Ferguson, Fletcher, Frankford, Gigantes, Grier, Haeck, Hampton, Hansen, Haslam, Hayes, Hope, Huget, Jamison, Johnson, Klopp, Kormos, Kwinter, Lankin, Lessard, Mackenzie, MacKinnon, Mahoney, Malkowski, Mammoliti, Marchese, Martel, Mathysen, Mills, Morrow, Murdock, S.;

Nixon, O'Connor, Offer, O'Neill, Y., Owens, Perruzza, Philip, E., Phillips, G., Pilkey, Poirier, Poole, Rae, Scott, Silipo, Sola, Sullivan, Sutherland, Swarbrick, Ward, M., Waters, Wessenger, White, Wildman, Wilson, F., Wilson, G., Winninger, Wiseman, Ziemba.

Nays-14

Carr, Cousens, Cunningham, Eves, Harris, Jackson, Marland, Murdoch, B., Runciman, Sterling, Stockwell, Tilson, Turnbull, Witmer.

OTTAWA-CARLETON FRENCH-LANGUAGE SCHOOL BOARD AMENDMENT ACT, 1990

LOI DE 1990 MODIFIANT LA LOI SUR LE CONSEIL SCOLAIRE DE LANGUE FRANÇAISE D'OTTAWA-CARLETON

Mrs Boyd moved third reading of Bill 13, An Act to amend the Ottawa-Carleton French-Language School Board Act.

M^{me} Boyd propose la troisième lecture du projet de loi 13, Loi portant modification de la Loi de 1988 sur le Conseil scolaire de langue française d'Ottawa-Carleton.

1637

The House divided on third reading of Bill 13, An Act to amend the Ottawa-Carleton French-Language School Board Act, 1988, which was agreed to on the following vote:

La motion pour la troisième lecture du projet de loi 13, Loi portant modification de la Loi de 1988 sur le

Conseil scolaire de langue française d'Ottawa-Carleton, mise aux voix, est adoptée :

Ayes/Pour-74

Abel, Akande, Beer, Bisson, Boyd, Buchanan, Christopherson, Churley, Cooper, Coppen, Cordiano, Dadamo, Drainville, Duignan, Elston, Fawcett, Ferguson, Fletcher, Frankford, Gigantes, Grier, Haeck, Hampton, Hansen, Haslam, Hayes, Hope, Huget, Jamison, Johnson, Klopp, Kormos, Kwinter, Lankin, Lessard, Mackenzie, MacKinnon, Mahoney, Malkowski, Mammoliti, Marchese, Martel, Mathysen, Mills, Morrow, Murdock, S.;

Nixon, O'Connor, Offer, O'Neill, Y., Owens, Perruzza, Philip, E., Phillips, G., Pilkey, Poirier, Poole, Rae, Scott, Silipo, Sola, Sullivan, Sutherland, Swarbrick, Ward, M., Waters, Wessenger, White, Wildman, Wilson, F., Wilson, G., Winninger, Wiseman, Ziemba.

Nays/Contre-14

Carr, Cousens, Cunningham, Eves, Harris, Jackson, Marland, Murdoch, B., Runciman, Sterling, Stockwell, Tilson, Turnbull, Witmer.

CITY OF LONDON ACT, 1990

Mr Winninger moved third reading of Bill 18, An Act respecting the City of London.

Mr Winninger: I would like to acknowledge and thank the members who spoke on behalf of the bill, particularly the member for London North and the member for London Centre, who assisted in bringing the bill to third reading. I also acknowledge the concerns expressed by the member for York Centre and the member for Carleton about process. However, I deeply regret that due to the exigencies of time we were unable to comply with all of the rules by the letter and that in some cases notice periods had to be waived. I would hope that if this bill obtains third reading and royal assent the city council of London can heal its wounds and restore a meaningful dialogue with the owner-developers of heritage properties.

Mr Nixon: I want to say a word on third reading. I was watching some of the debate on second reading during private members' hour. I do not want to express a particular opinion as to whether the streetscape should be saved. Some of my friends are dead against it, some of my friends are all for it, and of course I support my friends.

But as a long-time participant and observer in the House, I would not say the procedure sets a precedent other than in the inability of the government of the day to come to grips with a very difficult decision. If in fact it wants to make the decision here rather than in London, then in my view the government of the day should do whatever reviews it sees fit and then bring legislation into the House for that purpose. I do not believe that private members' legislation in this regard is appropriate or suitable unless the government finds it simply cannot make a decision itself or does not have the gumption to choose between and among its friends.

I have no particular objection to this situation other than to say that in the past, when legislation dealt directly with decisions to be made by a municipality, we normally

responded to a resolution of that municipality arrived at by a majority of its elected council. For the NDP member and his many friends, supporters and colleagues to decide that these decisions would be made in another way in my opinion is inappropriate.

We have moved now for third reading on the basis of government legislation. The honourable member is correct: The rules do not permit this. Being a lawyer himself, he might find that some of his colleagues learned in the law will perhaps use his own comments when they look at this legislation and discuss its validity. But it appears that all members are at least going to allow this to pass third reading without too much additional comment.

Mr Bradley: This morning I was listening to part of the debate, and I want to offer a comment that may not be well received, but that is too bad. I heard an intervention by the now member for London Centre, where she had to make a point of being rather critical of the last member for London Centre, taking that usual shot at the last minute. I thought that was particularly unnecessary at the time. If the minister would for once put a smile on her face in this Legislature and realize that she has been elected to the Legislative Assembly of Ontario, there is no need to be taking boots to the last Premier, the last member for London Centre. I thought it was inopportune that that would take place in this Legislature.

Interjections.

Mr Scott: Ed, don't you mouth off today of all days, you scum.

Interjections.

Mr Scott: Don't have Ed Philip mouth off today. Maybe next day, next week. Let a little time go by.

Interjections.

Mr Bradley: There is no need to give instruction to the Speaker.

The Speaker: I will confess that if there was an untoward comment, I did not hear it. What I will remind members is that, to be frank, it would be pleasant to have a nice way to end this session without bitterness. We are in the midst of directing questions or comments to the Leader of the Opposition, who had made his remarks on this bill.

Mr Bradley: The bill obviously won a good degree of support from members of the Legislative Assembly. There will always be divisions of opinion on any legislation or any resolution that comes before the House. I felt it was unnecessary for the member for London Centre to go back into the history of her riding and the member for London Centre at that occasion to say that somehow when he got elected he forgot about it. Those members are all virtuous now and they do not forget those things when they get here. I think it will probably sharpen the memory and attention of many members over here if the same is seen by the present member for London Centre.

Mr Cousens: Just to comment very briefly, I would also like to support what was said by the member for Brant-Haldimand with regard to the process that was followed with this bill. Today I tabled a private member's bill regarding the town of Markham that in effect gives it

powers regarding the protection of heritage homes and areas in the town of Markham. It was duly given application back many months and is now tabled. There is a due process, and we know how it works, through the standing committee on regulations and private bills. It is just too bad they could not do the same.

Motion agreed to.

Hon Miss Martel: Mr Speaker, His Honour awaits to give royal assent to certain bills that have been passed.

His Honour the Lieutenant Governor of Ontario entered the chamber of the Legislative Assembly and took his seat upon the throne.

ROYAL ASSENT SANCTION ROYALE

Hon Mr Alexander: Pray be seated.

The Speaker: May it please Your Honour, the Legislative Assembly of the province has, at its present sittings thereof, passed certain bills to which, in the name of and on behalf of the said Legislative Assembly, I respectfully request Your Honour's assent.

1650

Clerk Assistant and Clerk of Committees: The following are the titles of the bills to which Your Honour's assent is prayed:

An Act to amend the Retail Sales Tax Act;

An Act to authorize borrowing on the credit of the Consolidated Revenue Fund;

Loi autorisant des emprunts garantis par le Trésor;

An Act to amend the Corporations Tax Act;

An Act to amend the Income Tax Act;

An Act to amend the Education Act;

An Act to amend the Ottawa-Carleton French-Language School Board Act, 1988;

Loi portant modification de la Loi de 1988 sur le Conseil scolaire de langue française d'Ottawa-Carleton;

An Act to amend the Employment Standards Act with respect to Pregnancy and Parental Leave;

An Act respecting Land on Manitoulin Island, Barrie Island and Cockburn Island;

An Act to amend the Municipal Elections Act and certain other Acts related to Municipal Elections;

An Act respecting the City of London;

An Act to revive the Restoule Snowmobile Club;

An Act to revive The Interlock People Ltd;

An Act to revive Conyork Construction & Engineering Ltd;

An Act respecting The Oratory of Saint Philip Neri-Toronto;

An Act respecting the City of Windsor;

An Act respecting Goderich-Exeter Railway Company Limited;

An Act respecting the Town of Richmond Hill;

An Act respecting the City of Vanier;

An Act respecting the City of Toronto;

An Act to revive Lordina Limited;

An Act to revive La Capanna Homes (Non-Profit) Inc

Clerk of the House: In Her Majesty's name, His Honour the Lieutenant Governor doth assent to these bills.

Au nom de sa Majesté, Son Honneur le lieutenant-gouverneur sanctionne ces projets de loi.

His Honour the Lieutenant Governor was pleased to retire from the chamber.

SELECT COMMITTEE ON ONTARIO IN CONFEDERATION

COMITÉ SPÉCIAL SUR LE RÔLE DE L'ONTARIO AU SEIN DE LA CONFÉDÉRATION

Mr Rae moved resolution 9:

That a select committee on Ontario in Confederation be established to review and report on: (a) the social and economic interests and aspirations of all the people of Ontario within Confederation; and (b) what form of Confederation can most effectively meet the social and economic aspirations of the people of Ontario; that the committee have authority to adjourn from place to place in Canada to hold hearings, retain counsel, fund research, sponsor public forums and encourage public discussions to foster the broad participation of all the people of Ontario; that the proceedings of the committee be televised by the broadcast and recording service to ensure that the committee's public deliberations, hearings and activities are available to the people of Ontario; that the committee present an interim report to the House by 21 March 1991, provided that if the House is not meeting, the committee have authority to release its report by depositing a copy of it with the Clerk of the Assembly and upon resumption of the meetings of the House, the Chair of the committee shall bring such report before the House in accordance with the standing orders; that the committee have authority to meet concurrently with the House and during any adjournment of the House, subject to the approval of the three party whips, up to and including 27 June 1991; and that the committee be composed of the following members: Mr Silipo (Chair), Mr Beer, Mr Bisson, Ms Churley, Mr Eves, Mr Harnick, Ms Harrington, Mr Malkowski, Mr Offer, Mrs O'Neill (Ottawa-Rideau), Mr Wilson (Frontenac-Addington) and Mr Winninger.

Hon Mr Rae: The debate that we are about to have for two hours, as has been agreed by all three parties, is one in which each party will have about 40 minutes to speak. I am going to be sharing my time with the Minister of Natural Resources who has responsibility for native affairs. I understand that there are going to be others from the other parties who will be speaking as well.

This brief debate is, I am sure members will realize, one of several opportunities that we have held in this House, certainly in my experience going back to 1982 and my first election to this place. Looking across at the Leader of the Opposition, I fully realize that makes me a late entry in the field in terms of discussions that have taken place in this assembly over a great many years with regard to the question of the Constitution of the country.

I want to make a very brief introduction to the debate. Then we will do the usual round. The member for Algoma, the Minister of Natural Resources will speak and then I will have an opportunity at the end of the discussion to

wind up. So I do not intend to use too much of my time in the introductory comments I make to this discussion.

What I want to say to members is that there has obviously been a discussion within the government, and I think within the public, about how we as a province can most effectively contribute to what is going to be a not only a crucial national debate, but frankly crucial national decision-making with respect to the Constitution of the country.

Reflecting on my own experience, I can honestly say that like a great many other members—I do not want to ascribe views to anyone else—I had great hopes when my predecessor as Premier went to Ottawa in 1985, 1986 and 1987 for the first discussions with respect to the so-called Quebec round. I had great hopes that we would in fact be able to complete that round and then move on to further reform.

I know this is not a day on which the former Attorney General is particularly well inclined towards any description of our former relationship, but I want to say to the former Attorney General that I vividly remember the phone call I received in my car from him, very late in the evening, when he was able to report to me that significant progress had been made with respect to what was then known as the Quebec round. This was in the days when there was a minority Parliament and there was, as is often the case in minority parliaments, a much greater tendency to need to tell people as much as possible about what is going on. The Attorney General, as he then was, was very forthcoming in coming to see me to describe what had been achieved at the first discussions.

We then had a series of debates in this House about possible changes to the first round of Meech and there were some minor amendments made at the Langevin Block. We all know that process was not able to be resolved and was not able to produce a comprehensive amendment to the Constitution as many of us had hoped.

I think it would be fair to say that there were probably a majority of the citizens of the province who, during the discussions on Meech, did not feel it was the right way to proceed, though I would suspect that by the time we got down to that last week in Ottawa, I think there began to be some understanding of the consequences of failing to reach a conclusion with respect to the Meech round. I think probably people felt, "Better to proceed and get something done than to leave us in the situation where there is no agreement and no consensus has been achieved," and in fact no consensus was in the end arrived at.

The failure of the Meech Lake process has left all of us—I say all of us; I certainly say it has left me; I can speak very personally—with a sense that as difficult as it is, it is absolutely essential for us to take up this task yet again. Like any defeat, it takes some time to recover from it, because I regard what took place as a setback. But I still believe that we have to find ways in the country for the Constitution to be reformed. I believe profoundly that we have to find ways to include Quebec in the Canadian Constitution in a way that is acceptable to the Legislative Assembly and to a majority of the people of the province of

Quebec. I also believe we have to amend the Constitution so that if I can repeat a phrase I have used before, every citizen in the country can see his reflection in the constitutional mirror, in the Canadian mirror.

Right now I think it is fair to say that there are a great many Canadians, there are the first citizens of Canada, the first nations of Canada, as has been very clearly expressed by many members of this House—I am sure the minister responsible for native affairs will be talking about this to some extent—who certainly feel that the constitutional changes that have been made in recent years, particularly the patriation process and the Meech Lake discussions, really did not significantly include them in a way that would allow them to say that their sense of who they are in the Canadian fabric has been recognized.

At the same time, there are a number of people in western Canada, governments in western Canada and political movements in western Canada that have again reflected a sense of alienation from the current constitutional arrangement, and again have made it very clear that they do not see themselves as clearly as they feel they have to in the current situation.

1700

I can tell the House, the members of the opposition and the province that I believe it is important for us to move not just on one front, but on several fronts at the same time. I know there are some who disagree, but I happen to believe that it is important for a parliamentary committee, made up of the members of this House who are democratically elected to this place, to play a role in consulting with the Ontario public, but not simply consulting in a passive sense but also asking the Ontario public to engage in a serious discussion of what our real options are as a province and what our real options are as Canadians faced with what is a significant constitutional crisis.

I can assure members of the House that this is not the only front upon which we intend to move. As I have indicated to the leaders of the opposition, we are setting up a secretariat in the Ministry of Intergovernmental Affairs, which secretariat will work with the committee. It is also going to be, obviously, working with the government and with me as Premier and as Minister of Intergovernmental Affairs in providing us with ideas, in providing us with the research, in providing us with the kind of work that is going to be essential for our eventual success.

We have had many offers of help from many distinguished Canadians who have worked very hard in the past in this province to see that we are able to play an effective leadership role in what we hope will be a process of national reconciliation, recognizing that this is extremely difficult and a very tall order at the present time. I look forward to working with them and with members of the opposition and with the leaders of the opposition as we explore the central reality, it seems to me, of this discussion.

I think the central reality has two parts. The first is that the status quo is not tenable. It is not going to be good enough for us as a province, when the time comes for there to be detailed presentations of a series of proposals, to simply say that the status quo, with a few minor changes,

is somehow going to be adequate. I do not think any of us should be under that illusion. I think that perhaps there was kind of a false peace that settled over many parts of the country with the collapse of the Meech Lake process. There were no doubt many who said: "Well, we've got that over with. We can go off for the summer and not have too much to worry about."

I think that anybody who suffers from that illusion is very quickly in the new year going to have to come to terms with the fact that to simply state the nostrums, or to wrap oneself in a flag or to simply say that we all believe in a united and strong Canada—these are perhaps important sentiments to express, but they are not going to be adequate when it comes to the kinds of discussions that are going to be taking place this year and, I would suggest, not just this year but in the years to come, in terms of our conversations and discussions not only with the province of Quebec, but with the first nations of the country, with people in western and northern Canada and indeed a great many Canadians who, as I say, do not feel that up to this point the Constitution has really reflected their views.

I want to just conclude this opening of the debate by saying that I am very much aware of the role that former premiers have played and that former governments of this province have played in the discussions that have led us to this point. If I can just speak without going back into the history of the 19th century and the great debates on the formation of the country itself, a great many of the most eloquent and powerful spokesmen on behalf of the notion of Confederation itself were, of course, citizens of what was then Upper Canada which then became Ontario.

I can tell members that from my own experience I am very much aware of the role that was played by Premier Robarts in terms of the initial response to the Quiet Revolution, a response which was remarkably sensitive and far-reaching. I am thinking, of course, of the role that was played by William Davis as he led a government for 13 years in this country at a time of great change, and when obviously the views of the province of Ontario were sought after and important, and of course of David Peterson, my immediate predecessor, who was, I can tell members, elected leader of his party just a few short weeks after I was elected to the leadership of mine and whose role in national discussions has been important, positive, significant and constructive.

I am very much aware of the fact that all of us in this debate, including me, have a role to play. I think it is important to neither overplay nor to underplay the importance of that. Ontario has to be present. Ontario will be present.

But along with that, I think one of the lessons we have to learn from Meech is that we have to be prepared to listen. We have to signal to the people of the province that we do not have a pipeline to some magic solution, that frankly the experts and those who have been in this game for a very long time have not been able on their own to find an effective solution, and that therefore we have to draw on all the citizens of the province in an effort to resolve some of the most difficult questions.

As I have said, the approach we are going to be taking is active, is constructive, is intended to allow the people to have their say. It recognizes that there is more to it than that, and that as a government we must lead as well as listen. I can tell the people of the province that I am determined to do that.

Laissez-moi dire, Monsieur le Président, quelques paroles en langue française qui est après tout une des deux langues officielles du Canada. Je veux parler directement à mes concitoyens de la province de Québec.

Nous sommes tous reconnaissants, et moi je le reconnais, que l'échec du processus de Lac Meech a créé d'énormes problèmes pour les Québécois. Il y avait une chance que l'accord du Lac Meech représentait une reconnaissance, de la part du Canada, du fait que le Québec était une société distincte dans le Canada et cette reconnaissance était un événement, une étape très importante pour la réconciliation nationale.

Je veux dire à mes concitoyens québécois que la province de l'Ontario est prête pour les changements, que l'Ontario est prête pour le renouvellement constitutionnel, que nous prenons au sérieux les aspirations de la population du Québec en même temps que nous prenons au sérieux les aspirations qu'ont les autres Canadiens eux aussi aux changements qui peuvent les inclure, autant que nous insistons que la nouvelle constitution doit reconnaître la spécificité de la province de Québec.

Je dois dire en même temps que les Ontariens veulent, comme je l'ai déjà dit avant, un Canada sans passeports. Nous voulons un Canada fédéral, non pas parce que nous voulons un Canada qui soit un État centralisateur ou unitaire, mais parce que nous pensons que c'est le fédéralisme qui peut mieux refléter la réalité canadienne.

C'était la sagesse de Macdonald et c'était la sagesse de Cartier il y a plus de cent ans, de reconnaître, dans cette reconnaissance mutuelle de la réalité canadienne, que l'on allait trouver une unité plus profonde, que le fédéralisme canadien, s'il est fidèle à sa promesse, doit pouvoir changer, doit pouvoir se réformer, doit pouvoir faire des progrès parce que ça doit être un fédéralisme qui reflète des changements dans tous les coins de notre Canada.

Mais comme je l'ai dit hier, je dois dire franchement à mes concitoyens de la province de Québec que c'est la position très ferme de notre gouvernement que le Canada, ça vaut les efforts, que le Canada, ça vaut la peine et que franchement, nous n'avons pas la possibilité, qu'on ne peut même pas admettre la possibilité d'un autre échec. Nous devons réussir et je peux dire, au nom de notre gouvernement, que nous avons la détermination de réussir.

Thank you very much. I look forward to hearing the other participants in the debate.

1710

Mr Nixon: Although the resolution does not need seconding as far as I know—and there are in that regard no formal seconders—I believe it is apparent that both the leader of the Progressive Conservative Party and myself are in support of the resolution. He of course will speak for himself, but we have already indicated that we feel the approach to the assessment of the views of the people of

the province should be without partisan involvement. There is no doubt that our goals are the same and I had mentioned during the Premier's statement yesterday that that is stating the obvious, that without respect to party here, we all want to do what we can, as successfully as we can, not only to maintain Confederation with its present partners but strengthen it.

The Premier has indicated that he remembers going back to a number of previous constitutional discussions, and it is true that I do go back farther than he did, but even at the age of five he was probably involved in some way in the Confederation of Tomorrow conference. The funny part of it is then that most people, including members of the Legislature, really were not aware that we had a Constitution, that section 93 established the legislatures and occasionally in an erudite evening session somebody like Elmer Sopha would come in with a large tome including the Constitution and read it to us all.

The idea was that in fact the Constitution was taken for granted, that Canada worked well and would continue to work well. Whenever it was necessary to adjust the Constitution, reasonable people from the provinces would sit down with the Prime Minister. I do not know where they went before Meech Lake had palatial facilities, but they would reach an agreement, or not, and the Constitution was flexible enough to accommodate the needs of the emerging nation.

Even in 1967, when for obvious reasons, our Centennial, politicians tended to think that although there was not too much wrong with the Constitution it should be examined, then Premier John Robarts had the Confederation of Tomorrow conference, which just had a slight political slant. Even its naming, I think, was established by some imaginative person in Camp Associates Advertising. But at least the meeting was held and the premiers had a chance to discuss these matters. There was no thought that cracks were appearing in our Constitution or in our nation; everybody knew it would continue and be healthy and continue to prosper and provide what we normally felt was the absolute best place in the world with the most effective and sensitive democracy.

I do not want to attribute that I know the Premier's views better than he knows his own, but I have a feeling that many people feel that we are in somewhat the same position at the present time. Certainly these matters have got to be examined, but as long as we are forthright and strong and have a slogan nailed to the mast that all will be well, I do not believe that we will be well.

For us to say and have the Toronto Star repeat in a banner, "Canada is not negotiable," is something we all wish were true. The idea that the country is not negotiable and nothing can happen to its geography, I do not believe is realistic. And when the Premier—highly respected as he is in these and other matters—gets up and says this, with all the panoply that was associated in an interesting way with his statement yesterday, I have a feeling that we are leading many people to say, "All is well, Bob Rae says this is not negotiable."

I was interested to see Gil Rémillard being interviewed, in his flawless English, about the matter. He

indicated interest in this, initiative but he says of course Quebec is dealing with the government of Canada. And however much we, I would not say protest but insist that we are equal partners and that we speak for English Canada as well the English or the non-French community—it is fine to say that, but we may be faced with facts that are a bit more penetrating than the Premier's comments would indicate he understands. I would not for a moment suggest that he has not got an understanding that is deep and penetrating, because I have a premonition that some of the aspects of our approach to this are going to be seen to be—unrealistic. There are a number of words that leap to my mind, but unrealistic.

However, what else can we do? I think, in the last analysis, the Premier of Ontario, with his colleagues and with the Prime Minister of Canada, whoever he or she may be by that time, will in fact have to decide what the future of the country is like. They may feel that after they make a decision it would be put to all the people. They may feel it would be ratified by the legislatures, and if they give the legislatures a three-year time period in order to do that, they will be as foolish in the future as they have been in the past.

But the idea, of course, to consult the nation calls for a national referendum, and it is difficult to know how we are going to proceed with that if there has already been a referendum authorized by the National Assembly of the province of Quebec. This gets more and more complex, and I have a feeling, and I would not say we are whistling as we walk past the graveyard because it is not an appropriate analogy, but there is a certain degree of unrealistic hope in this that concerns me.

Obviously we have to find out properly what the people of the province are thinking and what they want us to do, most of us having just come from the hustings and knowing what a lot of people have said, and many people were extremely critical of the role of Ontario and the role of the then leader, my good friend and former Premier, David Peterson, in this matter. I sincerely supported him in his support for the Meech accord and I regret more deeply than I can express to members that this was seen to be unacceptable to the people of Canada and particularly the people of Ontario. It may have been a problem in the government of the day or anybody else communicating our views. Certainly there was no stronger supporter for the Meech accord than the present Premier, and the leader of the Progressive Conservative Party, while properly expressing some concerns, made it unanimous in this House. Yet it was impossible for us as the political leaders to get any kind of significant support in this province. Without that, I really do not know what we as a province can take to Ottawa or Quebec City or Victoria, where it might have been settled two decades ago, that is going to make the circumstances come out as positively as we all pray and devoutly wish and some of us believe.

I am not going to talk unduly about “Canada is not negotiable” other than to say the fact that the Premier pins his reputation on that concerns me. There is concern expressed about the timing. The people who are in this committee are going to be extremely busy. I have already

expressed my view that somehow, since our support for the concept is unanimous, I believe it will be unanimous that we will insist somehow that we hear the real views of the people and not the views of the lunatic fringe; and I will be misunderstood in this. By the time I got home last night, people were phoning my wife saying, “What does he mean ‘fleur-de-lis stuffed in their pocket’ and why shouldn't we tramp on the—” We will not even go into that, other than to say that we do not really understand the strength of the views that are not so interested in the continuation of Confederation as it is and our Constitution as it is.

The view—I hesitate to even say it—“Let them go and good riddance,” is expressed by a lot of people in this province, and we are going to hear that as a committee. I do not want to prejudge the whole thing, but we are embarking on a very difficult situation.

1720

The time scale is brief. I thought perhaps the Premier was a little self-serving when he said, “As we have looked around the country and seen some other parliaments planning consultative processes that do not end until either late next year or even 1992, we have concluded that we do not have that much time.” That is fine.

The thing that really drives us of course is Bélanger-Campeau. That is the important commission and my colleague may express some views as to how our committee might have been structured to make it more of a balance. I respect his views, but he did not carry the day. But that is another matter.

I do not feel we had any choice, because whether our committee is finished or not, the government of Ontario, the Legislature of Ontario, the members of the cabinet—all of whom are very important, particularly the people—but essentially the Premier is going to have to know what he thinks and he is then going to say what he thinks and it has to be something more than “Canada is not negotiable.”

The report may come out just a few days before Bélanger-Campeau, but this is really going to be a report of what the people have told us they think about it and our synthesis of those views. Although all parties agreed to the formation of this and have the same goals as it begins its work, obviously all parties, and maybe individuals, may retain for themselves the right to express their interpretation of those views in the Legislature as they see fit when the time comes.

It is a terribly important circumstance. All of us are thinking the unthinkable. There may come a time when we debate the unthinkable, which is even negotiation. There could be a certain unilateral approach by the people who have our similar positions in the province of Quebec and they are way ahead of us in their careful consideration of where the future lies.

I am very glad indeed to read that Robert Bourassa is coming back with full strength to take over the responsibility of the prime ministership in Quebec. He was elected as a federalist and his colleagues are federalists and I believe they can put forward the federalist position and balance what seems to be happening down there.

I wish the committee well. It will be working hard. They go with the good wishes and political blessing and other kinds of blessing I suppose of every member here.

Mr Harris: As the leader of the Liberal Party has indicated, I wish to support this motion and concur that there is no formalized procedure for the Premier to move, and for him and me to second, the actual motion striking the committee. I think it is well understood that I and my party are in support of the committee.

I also do not want to dwell at great length today on the need for the committee or on the concerns that Canada is facing. There will be many opportunities. Many members have heard me express those views that I have of this country and of this province during the Meech Lake discussions, during the committee that was struck at that time.

I also expressed a great number of views during this past year and during an event that took place this past summer. I believe that everybody who has been in this Legislature while this matter has been before us holds paramount some fundamental views that this country is more important than Ontario itself, that this country is much stronger when the sum of its parts are together than when we are apart and that we must do everything we can to make sure that stays that way.

I was reviewing some of the things I had said, and while I said that I will not dwell on it, I want to reiterate a few—the crucial issue to be faced in the months and years ahead is not only the status of Quebec but also the role of government itself—through some comments that I made this summer that the cost of government, the burdens and the benefits of government, how all governments in Canada can manage better are also on the table. In Quebec I believe sovereignty is also on the table. In Quebec I believe sovereignty is being considered because people are frustrated not only with the failure of Meech, not only with the concern over their language and culture, but also with the inability of the existing federal-provincial system to provide taxpayers with genuine value for their money. The taxing powers, the relationship of the federal and provincial jurisdictions on economic issues, is very much at the forefront as well.

I would be remiss too if I did not say that there were many, when Meech died, who stated the viewpoint that it is very unlikely that Canada will have an opportunity to have a deal that 10 provinces will agree with under such favourable terms as were provided in Meech Lake. I share that view. The powers that were given to provinces in Meech, many at the insistence of Quebec, were to deal with language and culture. I supported that. I thought that made a lot of sense. Many who argued against Meech at that time, including the leader of the Liberal Party's good friend and now leader of the federal Liberal Party, Jean Chrétien, stated that this could not be, that you could not give any more powers to the provinces. This was their violent objection to Meech Lake. The former Prime Minister of Canada entered that debate and said the same thing. I was a little surprised when Mr Chrétien went to Quebec and stated that it would now be important to substantially re-evaluate provincial powers, that he was prepared in order to keep Canada together to give up, from

the central government point of view, many more powers to the provinces. Now I think the Premier would agree with me that the economic powers are on the table as well. He may not, but he has made great reference over the last couple of weeks to economics.

Ontario has always been a net contributor. I want this on the table as well before I get into the actual motion itself. We always have been and to have a strong country we always must be. I believe that Ontario ought to, is in a position to and must give more to Canada than it receives. I do not think that is negotiable, from my point of view, or ought to be viewed as part of the debate. I want that on the record. I want us to earn our own way, and I want us to contribute to national development with that economic strength we have always had. I want Ontario to give more intellectually and creatively to the future of Confederation than we could ever hope to receive from it. I make no apology for that and I want that clearly understood.

1730

Having said that, and to get to the resolution, we talk about a two-step process. I believe an important part of the first step is that we must have some analysis of what it means economically to be together and what it means economically to be apart. As the leader of the Liberal Party has said, there is a substantial body of opinion out there that when Quebec or somebody says Quebec wants to leave, the answer is, "Let them go." But that answer is made in a vacuum of understanding of what it means to let Quebec go.

When I have challenged people who have said this to me over the last number of years, at times I would probe a little and I would find out that what they really meant on many occasions was: "They're just threatening. They're really not going. They really don't want sovereignty-association." That argument I do not believe needs a lot of education now. It is not just an intellectual debate, an academic debate in Quebec; it is a pretty widespread and universal sense that they feel they will be better served through sovereignty in Quebec than they will be through renewed federalism. I believe, though, that there is still substantial education to be done in what it means.

I congratulated the Premier yesterday on the consultation in setting up the terms of reference. I believe the two-step comment was one I used. I used it in the context that before we ask Ontarians what they think about Quebec leaving and invite the response yes or no, "let them go" or "no, we must not," I think there needs to be a little time, effort and energy spent on us understanding and the public understanding just what it means from a cultural viewpoint, from pride, from a Canadian viewpoint, but also from an economic viewpoint. I think Ontarians will be surprised, because I do believe we are stronger than the individual parts; we are substantially stronger as a whole.

I alluded yesterday in my response to the Premier my concern as well. On the one hand, the Premier talked about the necessity of approaching this in a non-partisan way, which I agree with and which the leader of the Liberal Party has agreed with; on the other hand, there were what I consider to be some very partisan comments by the Premier.

The Premier has spent the last two weekends discussing federal economic policies which he somehow feels, or wants the public of Ontario to feel, have been brought in explicitly for the destruction of Canada. I suggest that that type of comment and innuendo and allegation is beneath any elected politician in this province, let alone a leader of a party in this province, let alone the Premier, and I take great exception to it. I noted the comments the Premier made in the House yesterday, when he said:

"I have always believed and I have said I do not think this is a partisan issue, but I am compelled to say that the vacuum of leadership at the federal level in this country is hurting our people. The destruction of national institutions, whether economic or cultural, has left the realm of partisanship or ideology and, I believe, now threatens the fabric of this nation.

"It used to be that when you asked: 'Is our current system of federalism working?' you would hear a cry of no from a single province or a few groups in society." I do not know how relevant that is. We have obviously found out that a cry of no from a single province is enough to throw this country into turmoil.

However, he says: "Ask the question another way. Ask the unemployed forestry worker about our high-value-dollar policy in the context of Canada." I suggest to members that I could ask the unemployed forestry worker about the disastrous fiscal policy of the province of Ontario, of this government and of the government before it, that has caused the high-dollar policy. "Ask the out-of-work plant worker in Woodstock about free trade." I suggest we could ask the out-of-work plant worker in Woodstock about the total lack of understanding of the Ontario government, particularly over the last five years and the current government, of global competitiveness and what is happening around this world and its total unpreparedness to compete in the global market whether it be with the United States or with other economies.

The Premier says, "Ask the single mother in Peterborough about federal cuts to the Canada assistance plan." There have not been any federal cuts in transfer payments in the Canada assistance plan, but the federal government, mired in debt, has not been able to keep pace with a 50% share, because provincial governments, led by the government of Ontario, have consistently decided they should spend double and triple the rate of inflation each and every year. That is something the federal government has no control over and admittedly it cannot keep pace. With a \$30-billion annual deficit, I agree they cannot keep pace.

The Premier says, "Ask Windsor about the denial of local public broadcast as a result of CBC cuts." I guess the Premier is suggesting that the federal government, \$30 billion in debt, can afford \$1 billion to our national public broadcasting system. But in this economy, totally broke, with the provinces spending two and three times the rate of inflation, particularly Ontario, it cannot afford to spend \$1.1 billion. That somehow or other Mr Mulroney or Mr Wilson has brought this policy in to try and control the economic situation to destroy the country, I take great exception to. I think that is interjecting a large degree of

partisanship into the debate. I think it is inappropriate. I think it is unbecoming of the Premier.

I want to touch on one other aspect. I congratulated the Premier on the consultation that took place on the terms of reference for the committee. In my remarks in response to his statement, I asked the Premier, because it was my understanding that the bureaucracy, the secretariat set up with the Ministry of Intergovernmental Affairs, was to be made available to the committee and that the committee would have input into the paper that is to be developed—I pointed out that the deputy minister said, "No, that will be a government paper." That was not my understanding. I was hoping the Premier in his opening remarks today would have addressed that.

Hon Mr Rae: I will say something about it at the end.

Mr Harris: He will say something at the end. I appreciate that.

I also in my remarks yesterday referred to something that I thought was very generous and novel for an opposition party. I think the Premier has gone part of the way to try and make sure this is a non-partisan issue here in Ontario. I have alluded to one aspect I take exception to. He has gone part of the way with a pre-consultation with the leader of the Liberal Party and myself in setting up the terms of reference, but I suggested yesterday that the Premier could do something very novel, very different, a break from the past, to set up a truly non-partisan committee, that is, to have equal representation on the committee from each of the three parties.

1740

This does not mean the Premier will not be able to speak as leader of his party, as head of the government, as Premier. But it does mean, and it is why I proposed it and why many opposition parties do not want it, that it will truly force all members of that committee to operate in the interests of Canada, to operate in a non-partisan way.

I have been around this place for some 10 years. I have been on committees in majority governments; I have been on committees in minority governments. I have seen committees from the majority side; I have seen them from the minority side. I have seen them in government and in opposition. The committee structure in this province, under majority government, in my experience has been an absolute disgrace. It has been a disaster. There has been very little, if any, sharing of decision-making or power. There has been little expectation that the committees would operate in a non-partisan way. There has been very little given to the committees in any way of any meaningful decision-making.

I spoke about this at length over the past couple of years. I spoke about it during a recent event in my party, the leadership. I spoke about it during the election at quite a number of stops. I guess I was one who had hoped that a party which had been in opposition so long and had seen committees in minority governments and in majority governments surely would want to change that process too. I have not seen any signs of that yet, although it is very early in the mandate of the regular committee process to see how that will work.

But I offer the Premier a giving up of my party's right to be partisan in the traditional way committees have operated in a majority-government situation. I have offered the Legislature an opportunity to say it is not good enough just to sit back on this committee, as we have been in the habit of doing, because we have no power or no say or what not anyway, and say: "Well, let's let the government decide, the six government members can decide. This is a government committee. It is a government report that is being done, and if we agree with it we will agree, and if we do not we can criticize it." When there is equal representation on the committee of all three parties, that is not possible.

I ask the Premier to reconsider that. He will get the credit should he decide to go that way, and I think he will deserve a lot of credit if he decides to go that way. But I also believe my party is sending a very important and strong signal that it is prepared to approach this issue in a very different way than the normal committee process.

I wish the committee well. I know it will work hard, and I know its time lines are short. I do not envy the Premier in having to decide which way to proceed. I think it will be a strong role for the first ministers in this country over the next few years, an important role, and I obviously wish the Premier very well in that role. I offer him my support, my party's support in any way we can, either through this committee or through what flows out of this committee. I feel strongly enough about the process to move an amendment to the motion that would put in place the principle I have outlined and asked about yesterday.

The Premier suggests that this is a surprise. I do not know why it is. I mentioned yesterday that I thought this was important. I think it is a principle that I brought forward. It is a very simple amendment; not an amendment that we plan on this last day of the House to divide on, but I wanted the Premier and the House to know that we are serious.

The Speaker: Mr Harris moves that government notice of motion 9 be amended by deleting everything after the word "composed" in the 19th line and that the following be substituted therefor: "in such a manner as to provide for equal representation from each of the three recognized parties in the House."

Mr Harris: I moved this amendment because I did not get a sense, when I discussed this and brought it up with the Premier yesterday and with the leader of the Liberal Party, that they felt I was serious in what I was suggesting. I think it is important and I want the Premier, the House and the leader of the Liberal Party to know that we are serious, that we are prepared to put ourselves in a position of true non-partisanship on this committee and that we are willing to work that way on the committee.

I see the Premier and the Minister of Health laughing. Perhaps they do not appreciate the gesture I have made, but it is a substantial gesture. It is a gesture that opposition parties in majority governments have not wanted before in any of the discussions I have had with them. They have preferred not to have it. I think it is substantial, and I offer

it in that spirit and would hope the Premier would consider the amendment on that basis.

I wish to conclude by really and sincerely wishing the committee well. I share some of the concerns of the leader of the Liberal Party. I believe the Premier himself said, "I think we are at a quarter to 12, with a 12 o'clock deadline in this debate for our country." I assure not only the committee but the Premier and reiterate our commitment and our availability to do everything we can, if that is possible, to make sure we do not have another Meech Lake failure or Meech Lake disaster.

Hon Mr Wildman: I rise to participate in this debate with a feeling of optimism and with a feeling of great concern at the same time. Obviously, my feelings are mixed.

I think it is appropriate that we participate in this debate now, not only because of the debate that is currently going on in Quebec and across the country generally but particularly because we are talking about the Constitution of this country in response to the failure of the Meech Lake accord. That failure was largely due—at least in the initial stages of the actual voting in Manitoba—as the result of the profound statement of his place in this country by the MLA for Rupertsland, my good friend Elijah Harper.

1750

Simply by saying no in the Manitoba Legislature, the MLA for Rupertsland was asserting the rights and the right of place of all aboriginal people in this country, and saying no to a Constitution which he looked at and found did not reflect him or the reality of the country as he saw it and understood it.

It is my profound feeling that a constitution of a country, the fundamental law of a country, must reflect the society of the nation, the society as it is understood, and the history of the nation as we know it. The aboriginal people looked at the Meech Lake accord and said: "Where are we in this accord? What does this accord say about the reality for aboriginal people in Canada today?"

I recognize that many have argued that the Meech Lake accord was an attempt to deal with the aspirations and concerns of the people of Quebec, as a Quebec round, and the argument was made that if Quebec could be brought back into the constitutional fold, then the question of aboriginal rights, the recognition and entrenchment of aboriginal rights could be better dealt with and more easily dealt with by the provinces and the federal government.

The arguments were made at the time that Elijah Harper took his stand in the Manitoba Legislature that if the Meech Lake accord failed, if there was not agreement, there would be serious economic ramifications for the country, for the whole country, for all the people of Canada. In response to that, aboriginal leader after aboriginal leader in this country said: "We're at the bottom of the ladder now. It doesn't make any difference whether the economy fails because we do not benefit from the economy the way it is." That is the reality, unfortunately and tragically, of the aboriginal experience in this country.

I said that I approached this debate with optimism. One might wonder about that because of what we euphemistically referred to as the Indian summer that we experienced after the failure of the Meech Lake accord, with the terrible experiences in Oka, Quebec, the experiences that we saw in Akwesasne and parts of northern Ontario and British Columbia, where roads and railways were blocked by aboriginal people who had long-standing grievances, who felt that those grievances were not being spoken to and were being ignored.

They could look at the experience of the 1980s when that was supposed to be the round for aboriginal people, when we had a number of federal-provincial conferences on the Constitution and every one of them failed because of the intransigence of one or another group of premiers of this country, because they could not bring themselves to recognize and entrench the fundamental reality that we have first nations, aboriginal people who are a distinct people with their own society, their own rights that must be recognized in our Constitution.

Then they, as aboriginal people, would look at the round of negotiations, panic negotiations almost, to save the Meech Lake accord in the Quebec round. They would say, "Why is it so different? Why was every last-minute attempt made to save an agreement that is so important to Quebec?" I recognize that it was important to Quebec and the whole country, but could the same kind of effort not have been made in that 1987 negotiation on aboriginal rights? What does that say about the premiers, the governments and the people of this country?

Coming from the Indian summer, I believe, is a tremendous amount of goodwill, somewhat surprisingly, among most Canadians who recognize now that aboriginal people are not going to be ignored any longer and who welcome that and who are prepared to listen, and yes, to negotiate to resolve grievances that have been long-standing, many for many decades.

We still have an Indian Act that basically governs the first nations and the first nations people in this country. Anyone who has read and understood the Indian Act knows that it is essentially colonial legislation. This government, and I believe the members of the Legislature, generally are determined to move away from a colonial relationship to a relationship of equals with the first nations and the other aboriginal peoples of this province.

We call upon the federal government and the other provinces to take the same approach. We can negotiate land questions, self-government, questions related to justice administration, policing, education, social services, access to resources—we can and from the bottom of my heart I believe we must. Meegwetch.

Mr Scott: I follow my friend the Minister of Natural Resources who says that he approaches the exercise of constitutional renewal in this country, to which we are all committed, with optimism. I candidly confess, although it is probably not politic to say it, that I approach it with something very near despair. If the members of the House will let me take a moment, I propose to say why, not to dissuade anybody, least of all our Premier, from acting aggressively and imaginatively, but to simply paint the

range of risks we run and to spell out the narrowness of the opportunities that are before us in what must be the most critical moment our country has faced in 130 years.

My perspective is a little longer than that of the Minister of Natural Resources, but I remember that when I came to office as Attorney General in 1985, the first order of business was the aboriginal constitutional round. It was conceded by everybody by 1985 that two important groups of Canadian citizens had not had their concerns adequately addressed by the 1982 constitutional round. The first group was the people of Quebec who at that time had been represented by a clearly separatist government and had presented a list of demands that no federal government could have consented to, and it was therefore impossible to address their concerns effectively in the 1982 round.

The second group was the aboriginal people. The aboriginal people at least had the advantage that there was built into the 1982 Constitution the promise of a specific round of negotiations to deal with their concerns. In 1985, we began the exercise of trying to develop an inherent self-government right that would meet aboriginal concerns. That effort, although there were many ministers' conferences and one quite lengthy first ministers' conference, failed. It failed essentially, I believe, for two reasons. It failed because Quebec did not feel able to participate in the round until its own needs had been adjusted, and it failed also because the western provinces did not feel able to make the adjustments which I believe they should have made and will make that would accord even marginally with the concerns that the native people raised.

I came away from that conference satisfied in my own mind that until there was an adjustment of the Quebec question, it would not be possible to make the other kinds of adjustments, many very important and very fundamental, like the aboriginal one, that would be so necessary if we were to carry the country forward into the next century, the completion of our second century as a nation.

It was in those circumstances that the premiers of Canada agreed that there would be a round of narrow focus to try to get over this initial hurdle, so that the way would be clear to deal with constitutional amendments of other types in sequence. Whether that was a legitimate objective or process remains to be seen and is now a matter for historians to deal with, rather than politicians. But I remember that exercise well and I still carry a sense, obviously shared by the Premier, that history will tell us that an enormous opportunity for our country was perhaps accidentally lost to us.

1800

I remember the night when I called the now Premier to report that success, completely unexpectedly, was at hand. I am glad he was not driving his car. He probably would have gone off the road at the report, because I think going into the exercise none of us who followed the debate anticipated that this kind of accommodation would occur or occur so quickly. But it did and the debate that followed the announcement of Meech Lake and the modifications at Langevin is of course well known to all members here.

As the Premier said in his remarks yesterday, which I was unhappily not present for but which I have read, we

have learned a great deal from the Meech Lake experience and it is important to take it into account as we move forward. It is important also to remember, before we get too judgemental about the performance of others in the exercise, that the Meech Lake round was the first amendment to our new Constitution. Prior to that time, amendments had been made, upon the request of the federal government, in the United Kingdom Parliament, and the extent to which provinces were invited to comment was, until the repatriation case in the Supreme Court of Canada, a matter of very real practical doubt.

So this round was the first effort to amend the Constitution, and the premiers and the governments and the legislatures were required to proceed according to an amendment formula that many say is a very difficult one, one of the most difficult ones in the western world.

But we have learned much from that experience. I think what we have learned is that new processes have to be developed. That is not to be judgemental about those who adopted the traditional processes. It is simply to observe that when this accommodation, which I believe was almost a constitutional miracle, was made it was not accepted by vast numbers of our citizens for a wide variety of reasons. They felt excluded. They felt that their concerns had not been assessed or addressed. They felt that they had not been consulted and so on. That is an important consideration, because as the Premier has noted we will have to make adjustments to the process if we hope to succeed in the future.

The other thing I think we learned—I hope it is a lesson that we can effectively apply—is that in Canada, at least at the present time, single-issue Constitution-making may not be on. I am not cheered up by that particularly because single-issue Constitution-making is probably an easier process to manage at one level than multi-issue processes.

So what we face as we go into the next round, and this is the reason why I approach the issue with some despair, are two new parameters which, while not written into the Constitution, we must acknowledge as practical men and women of affairs.

The first is that a new process must be developed, not only for the initiating stages but probably for the ultimate stage of constitutional renewal, which while not expressed in the Constitution will take account of and allow our citizens to play a role alongside legislators, hopefully for ever, but at least until this period of cynicism about the acts of politicians has been in some fashion allayed.

Second, we are going to have to develop a process which can adjust to a wide variety of issues. The one sense I got about the post-Meech debate, and I say this without being judgemental, if one can do that, is that groups of Canadians all across the country were in effect saying, "If I don't get what I want now, nobody else will get what he wants." I think that is what lots of my fellow Canadians were saying about the process. It is not a very gracious thing, but in their circumstances it is a realistic and understandable thing for them to say. I make no criticism of those who make that observation, but that indicates the complexity of the exercise in which we are now engaged,

the development right from the drawing board of a new process to add on to the constitutionally imposed process, and second a multi-issue negotiation which will take account of the needs of western Canada to deal with Senate reform or second chamber reform, the needs of aboriginal people, the needs of women, the needs of French Canada, the needs of Canadians who speak minority languages outside Quebec and inside Quebec, the needs of Canadians who are superbly loyal to this country who come from neither one of the two major language or cultural groups in the country.

This will make the exercise one of extraordinary complexity, but there is no way of avoiding it. I remember when I talked to the now Premier after Meech Lake, when he was in his car, and told him what it was going to look like, I think I probably said to him—I should have if I did not—"This isn't going to be perfect, Bob." If I did not, I am sure he said to me, "Well, that's not perfect." Neither of us acknowledged any legal deficiencies whatever, at least in this environment. Both of us could have drafted constitutional amendments that suited ourselves better, but we recognized that this was a process of negotiation and that at the end of the day the question is not whether you have produced something that is perfect; the question is, have you done the best you can do for your generation of Canadians, bearing in mind that adjustments never cease in this kind of exercise?

I emphasize that point because I think Canadians and perhaps Ontarians, who are, after all, the most sophisticated and wisest Canadians, do not always understand that this process is a process of negotiation in which everybody will give up something if it is to succeed, and that of course will be the trick to adjust interests and to recognize, there being no perfection, that nobody will get exactly what he wants and sacrifices will be made in some fashion by all kinds of Canadians in order to develop a document that accommodates us all in a series of institutions, and lets the political process carry forward into the next generation.

The task is, for those reasons alone, a daunting task. Something has been said by the leader of the third party about partisanship. I do not think Brian Mulroney has ever heard me say anything particularly nice about him and I am sure he is not watching television now, but I am not prepared to judge Brian Mulroney on constitutional matters. I think if I had been the Prime Minister of Canada I might have done things differently, but I think, and I hope more effectively in the long run. I think that if this process of negotiation is going to be successful, all Canadians, and particularly the leaders of Canadians, have to be respectful of each other, at least with respect to this issue, or those accommodations simply will not be made.

There are some other points to be made. Our party will not be supporting, as I understand it from our leader, the amendment that has been proposed by the leader of the third party.

1810

That leads me to say something about partisanship. The Premier wants this to be a non-partisan exercise. We all share that, but the government is the government. The Premier has indicated that he would consult with the

leaders about what he proposed to do, but the Premier and the government are going to take responsibility for what is being done. They can and I hope and I am sure do listen to our suggestions, not so much in question period but at least on these main things, and then the government of the day decides if it will utilize those suggestions or not, because the government is going to be responsible. Any constitutional victories that lie in the short-term future are going to be victories for the Premier. Any defeats for which he is responsible are going to be defeats for the government. That is not partisanship; that is bearing responsibility effectively.

And though I seek the responsibility and will do everything I can to assure three years from now that it comes to me, as long as it is not mine I am not going to shoulder it for those who have the obligation to carry it forward.

Having said that, may I make, without being critical, because the responsibility is not mine, some observations about what is here proposed. The reality is that there are only four possibilities that lie before Canadians. These possibilities cannot be defined in a watertight way. There are gradations and variations with respect to each of them and they tend to overlap, but the four possibilities are: maintaining the constitutional status quo; a unilateral declaration of independence on the part of the province of Quebec; third, some kind of sovereignty-association which is just short of a unilateral declaration of independence; and fourth, a renewed federalism which will involve an adjustment of the powers under sections 91 and 92.

That fourth option breaks down into two parts, because that kind of renewed federalism may be symmetrical—that is to say, all the powers ceded to Quebec become powers of the other provinces—or for those who are concerned about the importance of central government, it may be asymmetrical, that is, certain powers would be ceded to the province of Quebec to deal with important matters of culture and language and perhaps other issues that are not ceded to the other provinces.

But there are not any other possibilities except those four general ones, and I begin by acknowledging my belief that the Premier is right: The first is not on. If there is anybody left out there who thinks it is on, he is dreaming in Technicolor and we had better get used to that. So what we face are not the amendments of Meech Lake, the proposals of Meech Lake which were regarded as the most moderate ever advanced by a modern Quebec Premier, but modifications, even from federalist Quebecers, that will be substantially more invasive than the amendments that have been proposed. That is the reality.

We can send out a committee that listens to a whole lot of people who want the status quo and we can say, "Thank you for telling us," but we must recognize that they are living, for the moment, in an unreal world. That is not on.

That brings me to one of my concerns about this process. We have just come through an election. I represent, as some honourable members know, one of the most diverse and I believe interesting ridings in urban Ontario. It has the richest community of citizens and it has the poorest community of citizens in the city of Toronto. It has a strong middle-class community, half tenants and half

home owners. I know what many of those people will say about constitutional renewal. Many of them will say, as they said to me, not all of them happily, "I don't want to hear about it any more." Many of them will say, "Let them go." Many of them will say other things, perhaps more directly and less pleasantly. I know what my people coming before this committee, or many of them, would tell the committee.

And so I am a little troubled, I must be frank to say, and disappointed about the shape this exercise is going to take. My leader has been kind enough to allow me to express my views, although he conceded that they did not carry the day in caucus. They did not carry the day because, under our rather arcane rules, the leader expresses the developed consensus of the caucus, a power which he exercised clearly and invincibly in this particular case.

But I am a little disappointed and a little uneasy about the establishment of the committee in this form and at this time for two reasons. First, it is purely a parliamentary committee. It is composed exclusively of members. The trouble is that we have no credibility, or little credibility, with the communities we represent. When we came back, whether it was the premiers or the members, and said about Meech Lake what I thought was apparent, "This is the best we can do," people did not believe us. They said, "If I had been there I would have been able to do better."

What we have to try to structure—I make this as a conscious suggestion to the government—is we need to expand this committee. If it is going to have on it 10 members of the assembly, it should have 10 members of the general public as well, representing not established organizations particularly, but 10 representative Ontarians, aboriginal people, farm people, small-town people, men and women who will be the input to the committee's work that will be undertaken parallel to the input that the legislators will provide.

I believe that would do a number of things for the committee process. It would make it a better and stronger and more effective committee, simply by virtue of its diversity. Second, it would help persuade Ontarians of the bona fides of the legislators who want to do this work. As one of my colleagues said: "Those people from the community working with the committee would be the validators of our exercise who would say to their colleagues in the general community: 'Yes, that is what was heard. That is the best that could be done.'" I think that would be an important change. It reflects, it is agreed, the kind of process that now exists in Quebec. I think one of the things, whether or not you agree with what is being said in Quebec, is the enormous focus of the province on its quasi-legislative process. Why? I believe in part because it is made up not only of legislators but of other Quebecers and Canadians who have an interest in or concerns about this issue. I seriously suggest that to the Premier as an important modification, because I believe it will make this exercise a sounder and more important educative tool than it may be likely to be.

The second important change, and I believe this is the most important, is that at the moment, these hearings, even with the white paper which will raise questions, which will

be available at the end of January, will be essentially a passive exercise in which legislators hear what people say. I have the same concerns about that as my leader has, but I have a solution. One of the things about this debate that is most discouraging is that when you look at the three or four options on the table and the variations that exist with respect to those options, almost nobody has any concrete sense of what the impacts of selecting one option over the other are.

Ontarians like me are being asked: "Do you favour this? Do you favour that? Do you favour the other thing?" But we are not being told the essential information we have to have before we can decide those questions. What is option A going to do to our standard of living? What is option B going to do to our standard of living? What is option A going to do to our trade? Is it going to increase it or decrease it? What is it going to do to our health care services in the province and in other parts of the country? Until Canadians have what I call these impact studies, prepared not by some government bureaucracy but by experts in the field who have the virtue of independence, it is really unfair to ask us to choose or to express an opinion among the options.

1820

So my second question to the Premier is that this process could, I believe, be radically improved if before the hearings there was in fact a major impact study done about the effect of the various options, not only for Ontarians but for other Canadians and other groups of Canadians as well.

I fear that without these two important modifications, I will be for some time uneasy about whether this process on which we are embarking will be productive or negative. I cannot think that the temper of the community about constitutional renewal has changed so radically in three months that we should anticipate a view in February markedly different from the view in September or June unless we have new information to share with the people we are consulting. And it seems to me, if the exercise goes ahead without that and the result is negative, the Premier's hand will not be strengthened in the exercise in which he has to engage on behalf of us all; it will be weakened.

I am very concerned about that, because like all of us here, we have a sense that time is very limited. I participated in a conference. I concede it was largely academics, but it was leavened by the chairmanship of Professor Allan Blakeney, who would not concede that he is not an academic but would not admit that that is his first occupation. The people who were at that conference almost unanimously were of the view that if, within 18 months, we have not developed the bare bones of a solution for our future in this country together, our opportunity is gone and, it went without saying, gone for ever.

That is why I have some despair about the exercise, but it is also why I want to encourage the Premier to do everything he can. I ask him to seriously consider modifying the terms of reference of the committee—not tonight, but at some later event—so that we can be sure it is more responsive to the needs of our fellow citizens and is more likely

to produce meaningful help for him and the government in the exercise in which they are engaged.

I know the Premier is well intentioned. He made a speech yesterday that was His Premiership at his rhetorical best. It was by turns intellectual and by turns moving. It did not say very much. I will not say it was meaningless; it did not say very much. It did say, as I have said in my time, a lot of platitudinous things, that we want one Canada and we have to make these changes and so on. That, frankly, is not going to be enough to carry with the committee on its work across the province. We need an impact statement, the kind of impact statement that in our history the Rowell-Sirois report in the late 1930s represented, so that people can begin to assess the reality of the choices they make in an intelligent, thoughtful and productive way.

Like my leader, I want to wish this committee all the best. It is hard to imagine that we have ever sent a committee from this House that has a more challenging, more onerous and more fateful responsibility than this one. I urge it, as I know it will be, to be thoughtful and conscious that what it says and what it does and what it hears and what it produces will be important in Ontario, of course, but also all across the country, from Victoria to Charlottetown.

Hon Mr Rae: I will not be too long, but I did want to respond to the comments that have been made.

I appreciate the frank tone of this debate. When I said some time ago that I did not see this as a particularly partisan issue, because we are after all talking about the future of the country and the future of the province, that does not mean that I do not expect healthy and robust criticism. I am not that naïve and I am certainly not that precious about disagreements we may have about the approaches we can take. Indeed, there were a number of occasions when I had suggestions to make to premiers, when I indicated that I was prepared to go along with the general thrust but I had a lot of things I wanted to say in addition to what they were doing. Naturally, with that was the sense which most of us have in opposition, that we could certainly do better than the people who are making the decisions.

I understand the emotion. I can identify with it to some extent, and I want to say that I take the criticisms that have been made of what we have suggested and of the statements I have made very seriously. I hope we will have more opportunities in the new session to have more discussions like this when we can be far more precise about exactly how we think this discussion in Ontario and across the country needs to proceed.

Let me just respond, if I may, to each comment as I took it. I think it is fair to say that, generally speaking, the Leader of the Opposition and the member for St George-St David reflect quite naturally a sense of real scepticism about what it is the committee is going to find when it goes out to talk to people and, second, a sense of enormous disappointment with what took place leading up to June, and, as we are being candid with one another, I think a certain sense of profound disappointment with what took place on 6 September. I would make the observation that

the sense of that hangs very heavily over that side of the House. I can certainly understand the frustration, having been through six general elections and this the only one in which I was successful. So five times I have some sense of why the idea of consulting with the electorate or with the general public sometimes does not produce the result you really think ought to happen. I can understand that certain sense—I would not go so far as to describe it as bitterness—but certainly a sense of weariness about what this is all about.

When the Leader of the Opposition says, for example, that my comments about Canada not being negotiable were rhetorically naïve and indeed that I somehow was pinning myself to a process or to a result that is not achievable, I think what I was saying and what I was trying to reflect and what I believe the sentence reflects is a sense among the citizens of this province which is, I think, widely shared in this House; that is, that whatever discussions take place with the other parts of the country and in particular, obviously, whatever discussions take place with the province of Quebec, we do not want there to be any misunderstanding as to the firm desire on the part of the people of this province for federalism to be renewed and for the country to maintain a sense of identity and a sense of having some common institutions, because that is very fundamental, it seems to me, to the interests and the views of the people of this province.

This is not some academic exercise in which we put out a number of options and say, "Choose one from column B and one from column C." This is a business in which we as a province have to speak for our own interests as we speak for the interests of Canadians as we understand them. I am saying to the people of this House that it is far better for us—and I am sure this is a sentiment that is widely shared—to state as our first priority the desire for a renewed federalism and for a renewed Canada rather than our beginning now to talk about the dismantling of the country.

1830

The leader of the third party said that I was engaging in too much partisanship myself in making comments that I have made about the policies of the federal government that I feel have been profoundly unhelpful to the tenor of this debate and indeed to the sense of unease that affects the entire country. Again, I do not want to be too precious. It would be a little bizarre if in the course of a constitutional discussion I somehow failed to reflect views which I have held for a long time and which are well known. I would think the Prime Minister himself is certainly capable of responding in kind and I would not take any exception if that happened.

Let me say to the leader of the third party that I intend to work with the Prime Minister, I intend to work with all the other first ministers, and I know all the Legislature would want that to be so. But I think it would be a little absurd if I were to somehow say, "Okay, I don't feel that what you're doing on interest rates or what's happening with respect to national institutions has no impact on what is taking place."

I say to the leader of the third party as well, since he has put forward his amendment with respect to the triple E committee, that this is a select committee that is going to reflect the makeup of the Legislature. His offer, which he describes as an act of self-sacrifice, whereby he would double the number of Conservatives on the committee and take away three from our party, I must confess I do not interpret in the same self-denying way in which it was described by the leader of the third party, although I think he is being quite sincere in suggesting it in that way, and I want to suggest to the leader of the third party that I think it would be far more realistic for us to simply recognize that the select committee is going to reflect the makeup of the Legislature. I do not say that in any grandiose sense. I think that is just a reflection of the way things should be done.

I obviously feel strongly that the comments made by the Minister of Natural Resources are an important reflection of his commitment as the minister responsible for native affairs, and I think he is quite right in saying that unless this question is on the agenda, indeed there will be no constitutional peace and there will be no constitutional reconciliation. I fully agree with that.

Let me respond very briefly to the comments of the member for St George-St David. There were some things he said that I agreed with very profoundly, about the first three quarters of his speech, I think, where he said, for example, that the lessons from Meech Lake were that there had to be consultation and more people had to be involved and, second, that there could not only be a one-issue round, but the round had to include everybody. Although he was critical of my speech yesterday, I believe that is exactly what I said yesterday and tried to put it forward. I did not put it forward in his words, I used my own, and he found my words empty when I said the same thing in comparison to the fullness of his own.

Mr Scott: I agreed with three quarters of what you said.

Hon Mr Rae: Now the member is saying he agreed with three quarters of what I said. He did not say that when he was actually speaking. I am delighted to hear that he is now making that statement.

Let me say to the member for St George-St David, and I am sure he realizes this, that despite our partisan differences and despite the very real tensions that exist in this place from time to time as he has expressed them, I think he knows that over the years his views on this subject, and the clarity and the way in which he sees things and presents the options in a very precise way and in a very powerful way as an advocate, is enlightening. I think it is enlightening for all of us to have the opportunity to hear, as I say, things presented very clearly and options presented as precisely as they are.

There are a couple of observations that I would make. One thing that I really take exception to was when he said, not once but a couple of times, "I know what my constituents are going to say." Second, he said that the mood really has not changed very much since June or September.

I would suggest to him that I wish I were as sure as he is of either of those things.

I would say to him that I have been an elected politician for over a decade in two parts of Metropolitan Toronto, and if he were to say to me now, "How do your constituents really feel about the choices that are going to be there or that are there?" my answer to him would be to say I really do not know how people feel because—I really do not know. That is why I think it is important for us to consult; that is why I think it is vital for us to consult.

He also, when he says he has a very clear sense, says nothing has changed since June or indeed since September. I would disagree; I think things are changing all the time. I think the clarity with which people see the choices is only now beginning to emerge. I think it is only now that a great many people are beginning to understand the implications for the country of our having, as a country, rejected the proposals that were put forward at Meech Lake.

To the member for St George-St David I would say this—and he was very condescending about some things that I have said. I think described me as "well-intentioned," which is certainly—

Mr Scott: That is not condescending.

Mr Nixon: Some people do not even think it is right.

Hon Mr Rae: Some people would not agree with that, I know. He obviously felt things about the process and saw the implications of the process early on. Indeed, because he was so close to it and because he was very much part of it, he was one who came away from the discussion in June—I know, because he and I discussed it when the House came together after that point—who really felt profoundly uneasy about the implication that has.

I would suggest that opinion in this part of Canada is only now beginning to be formed about what the options really are available for us and what the implications are for the future of the country. I believe that it is from that perspective that we should look at this discussion.

He makes two other suggestions which I want to deal with. The first is that it is a mistake for us to create a purely parliamentary committee, that what we should have is a committee that is 20 or 25 people consisting of members of the Legislature as well as members of the general public. I want to say to the member that there may come a point in our discussions when something like that would make sense for us, and I do not reject it out of hand at all. I think it would be quite inappropriate to say that I would never contemplate such a thing or I think it is a terrible idea.

I would say to him that I believe we have to take this thing in stages, that what we are really at—although it is hard, I know, for someone like himself who has been through this for so long to accept—is a preliminary stage in the sense of what the new national dialogue and negotiation are really going to be like. I am not saying it is going to be a long-drawn-out process that is going to take for ever and ever. I think we all understand that the momentum for change in the province of Quebec is great and that the desire there for a speedy resolution is strong.

1840

I also want to suggest to him that when the Bélanger-Campeau commission reports, it becomes a report, and we then have to wait for the views of the government of Quebec. We have to wait clearly for what the duly elected government of Quebec then sees as its mandate for future steps. I say to the member for St George-St David that the idea of there being other ways of consultation, the idea that there would be other groups or other responses both from us as a province and from other parts of the country, are things that need to be explored and discussed. I would just make the observation that I think it is essential for this newly elected Parliament to begin to immerse itself in these questions and to begin the process of discussing with the public what the options and choices are.

The second thing is there is an assumption behind the second point that the member for St George-St David makes that I think is entirely unwarranted. He said, for example, that he thinks the exercise is an entirely passive one and he assumes that there will be no research commissioned by the committee, that there will be no effort by the committee to choose where to go and how to go and that there will be no effort by the committee to decide what are the kinds of groups and the kinds of discussions and how the discussion needs to be staged and will be staged, both in the early days in February and March and later on as obviously the work continues once the glass becomes a little clearer for all of us in terms of the real choices that are available.

I do not share that assumption, I do not think it is one that is there to be made. It seems to me that you need to have an active dialogue with the public, which means that the committee will be doing some work, which means that the public will be responding and that the committee is going to have to find creative ways of listening to the public and of letting the public participate, ways that, it seems to me, the committee will only begin to discuss once it is formed.

I can understand entirely his sense of frustration and his sense of foreboding and I can understand his impatience that others are less able to see as clearly as he obviously does just what the choices are and what needs to be done. I can only tell him that I share his view entirely with respect to his observations on who is going to stand or fall with respect to this process and who is ultimately responsible for the positions that the government of Ontario will take in our representation. When I say that this is not a partisan process necessarily, I am under no illusion as to the fact that it is a very political process and as to the fact that the stakes are high. They are high for all of us. I am under no illusions about that and am quite prepared to live with the consequences of the decisions that we take in this regard.

My judgement is that it is time for the Legislature to take the first step. My judgement is that it is time we talked to the people, presented views and options, which is what the discussion paper is intended to do, and as well talk to them about what some of the choices are and how those choices might be presented and discussed with the people.

I want to say to all the members of the House that as tired as some may be of the discussion and as overwhelmed as some may be by what has happened before and by its failure to come to a conclusion, I can only assure them that we do not have the luxury of that kind of ennui or fatigue anywhere in the House.

We have to make a fresh start. We have to make a fresh start understanding that it is the most important set of discussions that has happened in the country since over 100 years ago, understanding that we have to work with the people in doing it and that all the people have to be seen and see themselves as part of the process, understanding, as I can assure members that I do, that it is not easy. It is not a rhetorical exercise; it is a very difficult exercise, in which I believe patience, moderation, a capacity to listen, a desire to lead and a willingness to work with all the people are the essential characteristics.

I only hope that this government is capable, and can only pray that this government is capable, of at least some of those necessary qualities.

The Speaker: Are the members ready for the question on the amendment?

All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion the nays have it.

Motion negatived.

The Speaker: The next question to be decided is government notice of motion 9, placed by the Premier.

Motion agreed to.

SPECIAL COMMITTEE ON THE PARLIAMENTARY PRECINCT

Miss Martel moved resolution 10:

That a special committee on the parliamentary precinct be appointed to develop, approve, supervise and co-ordinate the implementation of a program for the restoration, renovation, rehabilitation, cyclical maintenance and use of the Parliament Building and grounds and to implement an interpretative program emphasizing public education and understanding of the Parliament Building and its history, events that have taken place in the Parliament Building and at Queen's Park and the legislative and governmental processes, and to submit an annual budget to the Board of Internal Economy for funds required for proposed work or expert or professional assistance in any fiscal year; and which shall be composed of the Speaker and the Chair of the standing committee on the Legislative Assembly as co-Chairs and Mrs Cunningham, Mr Mancini and Mrs Mathysen, no substitution being permitted except by order of the House.

Motion agreed to.

COMMITTEE SITTINGS

Miss Martel moved resolution 13:

That the following committees be authorized to meet during the winter adjournment in accordance with the schedule of meeting dates agreed to by the three party whips and tabled with the Clerk of the assembly to examine and inquire into the following matters:

Special committee on the parliamentary precinct to meet from time to time at the call of the co-Chairs of the committee to consider matters related to the restoration of the Parliament Building;

Standing committee on administration of justice to consider Bill 17, An Act to amend the Law related to the Enforcement of Support and Custody Orders / *Projet de loi 17, Loi portant modification des lois relatives à l'exécution d'ordonnances alimentaires et de garde d'enfants*, and matters designated pursuant to standing order 123 and to review and make recommendations with respect to the guidelines governing conflict of interest (sessional paper 52);

Standing committee on estimates to consider the estimates of ministries and offices selected in accordance with the order of the House of Thursday 6 December 1990;

Standing committee on finance and economic affairs to consider matters relating to pre-budget consultation;

Standing committee on general government to consider Bill 4, An Act to amend the Residential Rent Regulation Act, 1986, a discussion paper to be prepared by the Ministry of Housing dealing with long-term solutions to the rent review process in Ontario, which document shall be deemed to be referred to the committee when it is laid on the table, and matters designated pursuant to standing order 123;

Standing committee on government agencies to consider the operation of certain agencies, boards and commissions of the government of Ontario, appointments in the public sector and to make recommendations concerning the amendment of the standing orders in relation to the review of public sector appointments;

Standing committee on resources development to consider matters designated pursuant to standing order 123; and

Standing committee on social development to consider matters designated pursuant to standing order 123.

Mr Eves: I have an amendment that I would like to move to government notice of motion 13. It is a somewhat unusual amendment, I suppose, because normally motions of this type about what committees sit and when they sit and what they discuss would not be the subject matter of an amendment. But after the question period of today, I must say that we feel moved to move an amendment to the motion that has been put on the paper as government notice of motion 13. It has to do with the standing committee on the administration of justice.

The Speaker: Mr Eves moves that government notice of motion 13 be amended by adding to the third paragraph following the words "sessional paper 52" the words "and to review the matter of the release of cabinet information pertaining to the Red Hill Creek Expressway."

Mr Eves: That would conclude the third paragraph of government notice of motion number 13.

I will not be long in debating this proposed amendment to the government motion with respect to committees, but suffice it to say that I think there was ample evidence and discussion during question period today that would

indicate in even the most partisan mind that there is at least a question here as to whether information was or was not released with respect to the cabinet position prior to the news conference taking place on the Monday. There are also directly contradictory statements made by the Minister of Transportation and the Minister of Colleges and Universities and one Mr Hinkley, a councillor.

Mr Hinkley indicated that he was told by New Democrat MPPs in the area that the expressway would be stopped. I believe that both the Minister of Colleges and Universities and the Minister of Transportation indicated that they did not communicate the decision of cabinet to anyone prior to Monday morning at 8 am.

1850

There is at least a doubt out there, according to Mr Hinkley anyway, as to what was or was not communicated and by whom. I am not suggesting that perhaps it is these two individuals who communicated it, but Mr Hinkley does say that he was told by Hamilton-area NDP members of the Legislature that this was going to take place and he was told that on Friday evening.

These two ministers say they communicated no such thing to anyone until the Monday morning. I think there is a significant element of doubt out there about what the facts actually are, and that this matter should be reviewed by a committee of the Legislature which would have the ability to interview witnesses, not just the two ministers but other interested parties as well, perhaps other Hamilton-area NDP MPPs, to see exactly what was communicated by whom and to whom and when so we can lay this matter to rest once and for all.

If in fact no such information was communicated to anybody until Monday morning, then I would quite agree with what the Premier has said. I would quite agree that it may have been an error in judgement, it may not have been the most appropriate way of delivering a message from cabinet or from the government to the Hamilton area, and he would see to it that it was not performed in this fashion again. I think we would all agree that that would be the end of the matter.

If, however, after some examination it is found that cabinet ministers, whomever they may be, did communicate cabinet decisions to certain particular individuals prior to that Monday morning, then I think we have a very serious matter on our hands indeed and I would leave it to the Premier to deal with that very serious matter. But I think all we are asking for in this amendment to the motion, and all we asked for during question period today, is for the matter to be reviewed by a committee of the Legislature so that we can get to the bottom of the matter and clear this matter up once and for all.

Mr Elston: I likewise will not be very long. I must say that although we had not anticipated having the amendment made, we certainly are in support of it, because really all the opposition wants is an honest chance to examine the material upon which the Premier has made a very lonely, I suspect, judgement about the credibility of his two ministers as compared to the people who in Hamilton are saying something much different.

It seems to me that the least that could be done on a day when the House leader for the government will be moving that certain items with respect to conflict-of-interest guidelines and other matters like that are to be referred out to a committee of the Legislature to be examined and to be taken piece by piece so we can understand how the new conflict-of-interest guidelines are to work—sent out there for examination by the committee as though it were a real piece of work—that we should likewise be able to see a significant change in the behaviour of this government so we can examine how a decision is made about the conduct of two ministers and the allegations that have surrounded that conduct in their own home cities.

It seems to me that there is a very significant piece of work to be done to clear up the nature of the behaviour of this government and the way it intends to manage its affairs and the way it intends to make sure that the province is managed in a much different way than it has been before.

It likewise seems to me that we should not be afraid to examine the material which underlies the activities of these two ministers if in fact the Premier himself is so sure and so absolutely sure that nothing has gone wrong. It seems to me that what this whole process is about is not necessarily what we all believe is the standard issue surrounding conflict of interest, that is, the gaining of absolute dollars by someone either directly or indirectly having access to information, but about a government that is committed in its place now to spread its message and to spread the power that its activities as a government can spread to individuals who are in the city governments in other organizations.

It is, for instance, an awful lot easier if a person running for a seat on city council or perhaps even mayor of the city of Hamilton can stand up in advance or after an announcement has been made and say: "I have access. I got the information first. I knew it was happening; you better vote for me." The conflict of interest and the disservice that has been done by the two people who have today apologized to this Legislative Assembly for having done nothing wrong is that they have been giving out access to power to their cronies so they can benefit on the political level. On a political level they had been giving power to those individuals, the power of information pre-distributed in a way which makes their role on city council a much more effective and much more interesting thing to take place.

I cannot understand why members of the NDP do not understand how serious a conflict-of-interest type of activity that is, promoting the power of their friends through the disposition of certain pieces of information, whether it was given specifically or whether it was given by way of allowing people to draw inferences from the information that was released. It is almost humorous to think that the Minister of Transportation could be walking through the area which was designed to become or which was earlier assumed to become the area for the expressway, talking only about the flora and the fauna, without at one point or another even dropping a single hint or even straying close to the idea that perhaps it would be a shame to see this disappear.

But he contends, without any hint of concern, that he spoke not at all about anything remotely relating to the expressway, this in the aftermath of a special strategy meeting on communications being held in the constituency office of the member for Hamilton West having received—that night, the very time the meeting was going on—a communication from the Ministry of Transportation saying, “Richard, it’s a go for Monday morning 8 o’clock.” I can hear it now, I can hear it all being transmitted. That has been admitted, that much we know is true, because there does not seem to be a dispute about that. Then on Saturday morning, the Minister of Transportation shows up just to take a look at the flowers and not make any hint whatsoever to these people who were at the meeting on Friday night.

If I can understand why there is concern, then perhaps I would withdraw my support for the motion, but it seems to me there should be no reason for anyone to be concerned about examining a clear conscience; there should be no problem in examining a record where there is no dispute as to facts about having done nothing wrong. What concerns me more than ever is that there is a real problem over there with having this material clearly out on the table.

What, I asked in question period of the Premier, is there to fear if nothing is wrong? What is there to fear on the part of the Minister of Colleges and Universities? What is there to fear on the part of the Minister of Transportation? What is there to fear on the part of the NDP councillor from the city of Hamilton? What is there to fear? Well, what there is to fear is that the NDP’s organizational activities will be found out. There is a very clear direction given by the cabinet of the province that only the NDP needs to be brought into this so it can be empowered in a way to disadvantage others in the communities which we all serve.

And yes, it even goes further than that. These people are making announcements in other people’s constituencies without having the courage to allow the local members to know that the announcements are being made. It is no change; these guys have not changed at all. We hear them harping over there, and do members know why they are harping? I can understand that they are sensitive, because their great Agenda for People spoke of a new era, a new dawning of openness and honesty, which today was found out to have fallen flat. In fact, the prime minister of this province—I use those words probably even more strongly today than I would have before, because “prime minister” brings to mind Brian Mulroney, and what these people are doing and what they have shown they can do today brings them closer to that federal Conservative organization than I have ever seen before.

1900

That is what they have to fear, because the direction is clear. Cabinet says: “We make the decision on Wednesday. Let it out to the folks we know. Get the communication straight on Friday. Take a walk through the woods, Ed, it’s a pretty good background for your announcement on Monday morning, and then let all those other people know. We don’t want the regional Chair to get in the papers on the weekend, because a lot of people read the papers on the

weekend. You know, you don’t want big weekend news stories. You want to hide it. Do it Monday morning when everybody is busy trying to get back to work.”

We are supporting this motion. It is unusual, but we know the government is hesitant about bringing forward all of the facts and we know it will do its best to make sure that this does not ever become an examination of the credibility and of the integrity of this government. The prime minister of this province has decided that this is a closed shop; as far as it concerns integrity in government, he alone will judge, no appeals necessary; and although the people here in this House heard an apology extended, we are not allowed for one moment to examine the facts upon which the apology was provided.

I think that speaks to the very point of the need of the reasoned amendment of my colleague the member for Parry Sound, and we will support it.

Hon Miss Martel: I will be much shorter than my two colleagues. I will say this: I believe the statements made by the two councillors from Hamilton this evening on TV have more than adequately responded to the concerns that were raised here by both opposition parties. I stand by what my leader said today. I support my two colleagues the Minister of Transportation and the Minister of Colleges and Universities, and we will be voting against this amendment.

Mr Scott: I intend to vote in favour of the amendment, but I do not suppose it much matters. The amendment is not going to pass because the government is going to oppose it, and that will be the end of it. I understand that—I can count—but I just want to mark this day, particularly for the new members who are first in the House.

We have a unique situation in Ontario now, because in a decade each of the three parties has come to government. None of us are virginal in a governmental sense; we have had a Conservative government, a Liberal government and now a New Democratic government. Each government has tough decisions to make. Governments, after all, are made up simply of men and women. We will make mistakes, and we will make good judgements and we will make bad judgements. That is a reality of life. None of us is perfect, but none of us is totally imperfect. That is the reality in which we find ourselves.

The two ministers involved, I want to tell the new members on this side of the House if they do not know this, are highly respected members of the Legislature, having given good service over many years in opposition, and are honourable men who are entitled to be considered for the executive council. I can tell them that in our benches there were those who rejoiced particularly at the choices that were made because we admired them.

But what we are talking about here when all is said and done is conflict of interest. What we are talking about is that when the standards for conflict of interest were set, when our ministers were challenged with respect to conflict of interest, they either resigned or they went to committee. I remind members of the member for Oriole and René Fontaine—they were cleared but they went to committee, resigned their portfolios—and Chaviva Hošek, who

was cleared by the public auditor. I bring this to members' attention, because in this particular case, when this new government faces this challenge with which our government and the Conservative government has had experience, it has a critical decision to make.

Hon Mrs Gigantes: Oh.

Mr Scott: The honourable member for Ottawa Centre can joke about it, because she cannot present a principled reaction to these problems. The issue here is a question of principle. This is the moment at which the moral integrity of a government is tested. The question is: Is the government going to do what other governments have been doing, have been forced to do at its hands and at the hands of the House, or is it not? In the words of Colin Vaughan on television today, is it going to impose on itself standards that it regularly imposed on others or is it not?

The issue in this case is not the quality of the two men involved. They are admirable figures, and I have great general confidence in their ability to serve well. The charge is that they have breached the oath of the executive council. I do not say it was even deliberate, but that is the charge. The issue, for those who believe government must exhibit some standard of moral integrity, is: What will it do confronted by that charge? Stonewall it? Steamroll right over it in ways they, with perfect reason, would have lambasted us or the Conservatives for doing? Or, as Colin Vaughan asks, will they impose on themselves, at this first instance where their credibility is at issue, the standards they regularly imposed on others?

I have great confidence in most of the members of the government party. They have been symbols of that kind of moral leadership in this Legislature over many years. I think it would be a remarkable thing and entirely in the interests of this whole process and all of us if those two members did that, not because they were forced, not because they felt any guilt—because I am sure they do not—not because they felt under pressure, but because they said to themselves: “We have asked that these standards be imposed on Joan Smith and Elinor Caplan and René Fontaine and Chaviva Hošek even when they were adjudged to be innocent. If we ask that it be imposed on them, we, because we are New Democrats”—that is what used to be said on the street—“will impose those standards on ourselves at the moment of truth.” Well, my friends, this is for the government the moment of truth, when its moral integrity is about to be tested. That is why, whether we win or lose the vote, I ask them to mark this day, four days before Christmas, 1990.

Mr Harris: I will try not to be very long. However, I am not speaking as the Attorney General spoke—

Mr Scott: Thanks, Mike.

Mr Harris: —the former Attorney General; I heard his speech on the Constitution and it brought back shades of Attorney Generalship. In his remarks, the member for St George-St David asked members to mark this day in their calendar. I thought he displayed a fair degree of pessimism that his remarks were going to convince the government actually to do the right thing. I, however, am taking an optimistic note before Christmastime that they will be per-

suaded that what is called for in this amendment is in fact the right thing to do.

I do not want to go into the merits of the issue. We went through that today in question period. I think the record speaks for itself. I think it is very clear that there are concerns we have, concerns the public has, concerns that certainly Hamiltonians have and concerns every Ontarian should have. There are concerns, though, in what we are asking for in this amendment, aside from the concern every member of this Legislature should have.

The Premier opted today not to refer, or not at his instigation, the matter to committee. It was his option. We asked him to do that. He could have referred this matter to a committee but he opted not to do that. That is his prerogative: He can choose to or not to. However, now government members have an opportunity to express their viewpoint, not as to what the Premier should do; they can accept and support their Premier. He opted not to do it. That is fine. Now they have an opportunity. They have an opportunity to live up to the standards they campaigned on. They have an opportunity to live up to the standards they took to their constituents.

1910

Mr Elston: That's right; moral decisions.

Mr Harris: They have an opportunity, as the member for Bruce says, to make a moral decision as to whether they are going to cover up and stifle information from being made public, or whether they are going to allow information to come forward.

That is the decision they are making. They each have an individual choice to make that decision. They are not passing judgement on their Premier. They are not passing judgement on their colleagues. They are not passing judgement on the favoured sons in Hamilton who, if this had not been exposed, were going to get access to information a little more quickly than other elected officials, let alone citizens. All they are being asked to do is to allow their peers, members of the Legislature, to have access to the facts.

The member for St George-St David suggested government members mark this day on their calendars, because he was presuming that they would not opt for that, that they would not opt for openness, that they would not opt for wanting to have information brought forward. I hope that is not the case. If it is, they indeed ought to mark it on their calendars.

I hope they will agree with me that this is an opportunity to live up to the standards. I thought the member for St George-St David was a little presumptuous. He made it sound as if when they were in government, whenever any of these matters came forward, they quickly jumped to see which committee they could refer it to. The truth of the matter is that many times it was a long, dragged-out fight before some of these matters ended up in committee. But that in itself was what a great deal of this past election that my colleagues campaigned in was about. It was about a style of government. It was about what I call the politics of the past versus the politics of the nineties, of the 21st century, of a new openness, of a new consulting, of a new

sharing of decision-making, of a new sharing of information.

Many members of this chamber, I think, would agree with me. Many politicians would agree with me that we are not held in the highest of esteem these days. I suggest to them that this lack of empowerment that the public feels has a great deal to do with the frustration it has with the whole lot of us. So I ask members to reflect on that as well, because if they vote against this amendment, they are voting against empowerment, not even to make a decision. They are voting against empowerment to have access to the facts.

That, I suggest, is worse than not consulting on making a decision. That is worse than not consulting on matters of public policy. It is worse than not consulting on the pre-budget consultation, on inviting the public in to hear its views on Bill 4 that the government tried to stifle until we insisted it go out to hearings. It is worse than that. It is just saying: "We don't want the facts. We don't think the public's entitled to them. We don't want our fellow colleagues in the Legislature to have access to them." That is what the government is saying.

I ask government members to reflect on that. I ask them to support this amendment which will allow them, who will have the majority of the members on the committee, and which will allow us to examine what happened in this fiasco that took place in Hamilton on Friday, Saturday and Sunday of last week.

Mr Phillips: If I might join the debate in support of the motion, I think the members opposite are faced with a very tough decision. If they reflect back on their speech from the throne, which I always carry with me, it says:

"My government's first challenge is to earn the trust and respect of the people of Ontario. My government's integrity will be measured by the way this government is run and our relations with the people we serve. Our task is to guard against institutional arrogance and the abuse of power wherever they exist.... We must create a greater sense of integrity in the work of government. We are under no illusions that this is easy, since the public remains distrustful of governments and other large institutions. It is our job to address that cynicism and to overcome it."

Think about it. The cabinet made a decision, one of the most significant economic decisions for that region of Ontario, about a week ago. That decision was made and then three days later, at least as we understand it, a select group of people were told about that decision, and then three days later the public was informed. I just say to members that the members opposite are going to have to live with that impression unless they give themselves the opportunity for a full public airing of it, because the public can gather no other perception than the one I have just outlined—a major cabinet decision made on Wednesday, a select group told about it on Friday and the public told about it on Monday. That is exactly the way, as I understand it, that it occurred. I do not think anyone disputes those facts.

I just say to them that their speech from the throne outlines that as their first objective, to build the respect the people of Ontario have for their government and their in-

tegrity. The very first challenge they are faced with is this one: Do they stonewall this? Do they say, "Let's just hope it all goes away," or do they give an opportunity for a full public airing?

I agree with the leader of the third party. I do not think it is clear-cut that they will vote against the amendment. I think that as they think about how they are going to have to deal with this issue publicly over the next few weeks, they may very well welcome an opportunity for that full public airing, because I do not think this is going to just quietly go away as they may hope it might.

As I say, I go back to their speech from the throne their very first objective, their major task, is integrity in government. This is their first major challenge, if I might present it to the members of the government, and we all will be looking forward to the response that we will see later this evening here on the vote.

Mrs Marland: I am going to be very brief, but I think this is a very significant amendment and I think this is a very significant time in the history of this House for all of us. For all of us, as our leader just said, the integrity of politicians, unfortunately, is in question. We are not questioning the integrity of any individual politician in this House or any individual member of this House. We are simply questioning the process.

I say with respect that if the public is to believe in us and in our responsibility in serving them, then we must be sure that the integrity of each one of us, and above all the integrity of this House, is held. The only way that integrity can be held is if we fully believe in and practise a fully open and democratic process, and that is all this amendment is about.

I know quite well that the members who now sit on the government side of the House argued with us during the past five years at different times for a full and open process. We argued in favour of the public knowing all the facts in certain circumstances. Unfortunately, then too it was a majority government and we were not able to access all the facts in all the circumstances. The public perception is such that unless we are full and open with them, we in fact insult them. We insult the intelligence of the public by suggesting that everything is open in this House when they know full well it is not.

1920

By supporting this motion we are simply saying, "Let's make sure that perceptions are fact and let's make sure about the perception that we have nothing to be concerned about, that in fact everyone has stated exactly what the situation is." By doing this through this route, through the committee route, what is going to happen, frankly, is that there is nothing to hide, so therefore we agree with it.

I would hope that every member of this Legislature will vote in favour of this amendment, therefore supporting the concept that if they do not have anything to hide, then let's put it out in the open and put it to bed once and for all. As long as everything is hushed up and something is not fully disclosed under any kind of scrutiny, then suspicion and concern is there. I simply say again that if

we have nothing to hide in this House, then why would we not support this amendment for a full and open discussion?

The Speaker: Are members ready for the question? The first question to be decided is the amendment moved by the member for Parry Sound, who moved that government notice of motion 13 be amended by adding to the third paragraph, following the words "sessional paper 52" the words "and to review the matter of the release of cabinet information pertaining to the Red Hill Creek Expressway."

All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion, the nays have it.

Call in the members.

Mr Eves: Stack the vote.

Hon Miss Martel: Stack the vote, please.

The Speaker: We require unanimous consent to stack the vote.

Mr Eves: I would ask for unanimous consent to stack this vote as well as other votes on succeeding motions we may have later this evening so that we can vote on them all at once.

Agreed to.

Vote stacked.

COMMITTEE SITTINGS

Miss Martel moved resolution 14:

That with the agreement of the House leaders and the whips of each party, committees may meet during the winter adjournment at times other than those specified in the schedule tabled today with the Clerk of the Assembly to consider matters referred to them by the House or to consider matters designated pursuant to standing order 123.

Motion agreed to.

COMMITTEE REPORTS

Miss Martel moved resolution 15:

That committees be authorized to release their reports during the winter adjournment by depositing a copy of any report with the Clerk of the Assembly, and upon the resumption of the meetings of the House, the chairs of such committees shall bring any such reports before the House in accordance with the standing orders.

Motion agreed to.

STANDING COMMITTEE ON GOVERNMENT AGENCIES

Miss Martel moved resolution 11:

That standing order 104(g) be amended by inserting after "agencies;" in the 10th line "and to review the intended appointment of persons to agencies, boards and commissions and of directors to corporations in which the crown in right of Ontario is a majority shareholder according to the following procedures:

"1. A minister of the crown shall lay on the table a certificate stating that the Lieutenant Governor in Council or the Premier, as the case may be, intends to appoint a person to an agency, board or commission or to the board

of directors of a corporation, together with a copy of the position description and a summary of the person's qualifications, which documents shall be deemed to be referred to the committee.

"2. The subcommittee on committee business shall meet to select from among the intended appointments referred to in paragraph 3 those intended appointees the committee will review; the first meeting for that purpose shall be held on or before 18 January 1991 and further meetings shall be held for that purpose so that there are no more than 30 calendar days between each meeting.

"3. At least five calendar days before the subcommittee on committee business meets as provided in paragraph 2, the clerk of the subcommittee shall provide to each member of the subcommittee a list of intended appointees in respect of whom a certificate has been received.

"4. The intended appointments to be reviewed by the committee shall be selected in one round by each member of the subcommittee on committee business, other than the Chair, such that the member of the party forming the official opposition shall first choose one or more, the member of a recognized party having the third largest membership in the House shall second choose one or more and the member of the party forming the government shall third choose one or more.

"5. The subcommittee shall make a report to the committee on the intended appointments for review at least seven calendar days before any one of them is to be reviewed and the report shall specify the time allocated for consideration of each of them, the date on which each is to be considered and whether the intended appointee is to be called as a witness.

"6. In its report, the subcommittee shall ensure that those intended appointments which were selected by a member of the subcommittee shall be heard on the same day and that the order of the reviews corresponds to the order of selection as provided in paragraph 4.

"7. The report of the subcommittee on business once adopted by the subcommittee shall be deemed to be adopted by the committee and shall take precedence over all other business of the committee.

"8. If an intended appointment is not selected for review by the subcommittee within 35 calendar days following the day on which the documents provided for in paragraph 1 have been laid on the table, the committee shall be deemed to have concurred in the intended appointment and a report thereon shall be deemed to have been made to and adopted by the House.

"9. The committee may waive its right to review an intended appointment not selected pursuant to paragraph 8 prior to the expiry of the 35 days mentioned in paragraph 8.

"10. Upon notice from the clerk of the committee that an intended appointment has been selected for review, the minister who recommended the appointment shall provide to the committee a copy of the intended appointee's application, a copy of his or her résumé, a description of the responsibilities of the position, a description of the candidate search process and a statement of the criteria by which the intended appointee was chosen.

"11. The committee shall review the intended appointments that have been selected and shall spend no more than three hours reviewing the intended appointments selected by any one member of the subcommittee.

"12. In reviewing an intended appointment, the committee shall not call as a witness any person other than the intended appointee.

"13. The committee shall determine whether or not it concurs in the intended appointments as its first item of business at its first meeting following the meeting at which the intended appointments were reviewed. The time for making that determination shall be limited to one hour. In its report, the committee shall state whether or not it concurs in the intended appointments and may state its reasons therefor.

"14. The committee shall present its report to the House on its review of intended appointments at the earliest opportunity following the meeting at which its findings have been made and such report shall be deemed to be adopted by the House. If the House is not meeting at this time, the committee shall have authority to release its report by depositing a copy of it with the Clerk of the Assembly and upon receipt of the report by the Clerk the report shall be deemed to be adopted by the House.

"15. If a report in respect of an intended appointment is not made within 30 calendar days following the day on which the intended appointment was selected for review, the committee shall be deemed to have concurred in the intended appointment and a report thereon shall be deemed to have been made to and adopted by the House.

"16. The clerk of the committee shall notify in writing the minister who recommended the appointment of any decision of the committee and the subcommittee on committee business respecting the appointment."

This provisional standing order shall be in effect during the period commencing on 20 December 1990 and ending on 27 June 1991.

Mr Sterling: I have given to the opposition side and the government a number of amendments to this standing order which sets up the structure for examining government appointments and puts it in the laps of the agency, boards and commissions committee of this Legislature.

The government has informed me that it agrees with three of those amendments. With your indulgence, Mr Speaker, and the indulgence of the House, I suggest that I read those three amendments as amendments to the government motion, which I believe will be accepted by the government, and then proceed to other amendments on which there may be some debate.

The Speaker: It would be very helpful actually if the member could do one at a time and then we can determine at each stage if it is agreeable.

Mr Sterling: I will, however, not proceed in numerical order as under order 11. I will deal with the three that the government is going to give some support to or has indicated to me some support.

The Speaker: Mr Sterling moves that paragraph 9 of government notice of motion 11 be amended by inserting

between the word "committee" and the word "may" the words "or the subcommittee."

Motion agreed to.

The Speaker: Mr Sterling moves that paragraph 8 of government notice of motion 11 be amended by deleting the words "to have concurred in" and by substituting in their place the words "to have no recommendation concerning."

Mr Sterling: Mr Speaker, I believe that in your copy two of the words are different.

The Speaker: I do not have the one you moved. What I have are the words "to have no interest in."

Mr Sterling: Instead of the words "interest in," it should have "recommendation concerning."

Motion agreed to.

The Speaker: Mr Sterling moves that paragraph 15 of government notice of motion 11 be amended by deleting the words "to have concurred in" and substituting therefor the words "to have no recommendation concerning."

Mr Sterling: On a point of clarification, I am replacing the words "to have concurred in" with the words "to have no recommendation concerning." That is the motion.

Motion agreed to.

Mr Sterling: I have given to the table a number of recommendations which evidently there may be some debate on. I am going to move all of these motions at once with a very brief explanation of each of the seven amendments. If members are interested and they want to follow the changes, they might refer to their Orders and Notices of today under government motion 11.

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The Speaker: Mr Sterling moves that government notice of motion 11 be amended by deleting paragraph 1 and substituting the following therefor:

"1. A minister of the crown shall lay on the table a certificate stating that the Lieutenant Governor in Council or the Premier or the minister, as the case may be, intends to appoint or reappoint a person to an agency, board or commission or to the board of directors of a corporation or to the position of deputy minister in the Ontario civil service, together with a copy of the position description and of the terms of the appointment regarding such matters as the salary and other remuneration to be paid, the date of commencement of the appointment and the duration of the appointment, a summary of the person's qualifications, and a statement of the person's political affiliation and party membership, if any, which documents shall be deemed to be referred to the committee."

Mr Sterling: The purpose of this amendment is to really put into focus the fact that the scope of the proposed rule is very, very narrow and that in fact what we are getting to look at, in terms of appointments, are only a very few of the important people who run Queen's Park. We would like to include all of the appointments of ministers, which are considerable and are excluded by the government's notice of motion 11. We would like to include deputy ministers who are excluded by notice of

motion 11. We would like to include all reappointments which are not included in government notice 11. We would also ask for additional information, which is outlined in the wording of my motion.

Mr Elston: The late arrival of the motions have caused us not to be as well informed about their entire meaning as we might otherwise be, but I take from the general thrust of the motions that what the honourable gentleman wants to do is allow the committee to which these tasks are being assigned to have a lot more basic information upon which to make its decision about whether to have some hearings on certain appointments or not.

Basically, my big concern about this particular makeup of an examination of appointments is one of a very practical nature, that in fact when the appointments are made they generally go through cabinet in fairly large numbers, and it would be very interesting to see how the appointments are going to be announced from time to time.

I remember myself being in cabinet when things were backed up. Clearances from the internal networks about how well people's credentials were associated to the job that they were going to be assigned had to be weighed and confirmed and talked about in local members' ridings, in the Premier's office and in the offices in which those people were going to be working. For instance, let's say they were going to be working at the Workers' Compensation Board or whatever. We had to make sure that the person was actually going to be able to perform well there.

It is a very difficult task. I am not trying to minimize the amount of work that is going to go into seeking out the best appointments possible. That all has to be done, but invariably what happens as you are looking at that list—it is a massive list that has been shared with us and was shared by the previous government with members of the House, a massive list of people who will be appointed to agencies, boards and commissions in this province. You can understand that sometimes when you go into cabinet, you are not dealing with one, two, three, four pages. Sometimes it would be 15 pages of appointments of people to various positions throughout the province, all being signed by the chairman of cabinet on that day, all being posted at a particular time and all coming out with such speed that the committee to which this is assigned is going to be flooded and will have to make very quick judgements because the time frame is quite restrictive.

In fact, the operational activities under which this committee is going to function will prevent it from doing a very thorough analysis unless it has some of the material filed with it that the member for Carleton East—sorry, Grenville?

Mr Sterling: Carleton.

Mr Elston: Just Carleton now, I am sorry. He keeps switching his constituency's name because he is afraid they will find him out one of these days and he keeps running under different placards. In any event, he has changed his riding name, but he has really been very stationary. We have not seen him move very far very fast over the time I have been here anyway.

In any event, there will be a flood of names coming out. The people who will be doing their best here to find the people they want to interview and examine will have to make, in a very quick way, a decision about whom they do examine. If this is going to be meaningful and if it is going to be funded properly—and we are taking for granted it will be funded properly, with proper resources to do research and other things—the flood of names that will have to come out of the those cabinet meetings that are held on those Wednesday mornings when all these things finally arrive, as names and lists of people to be appointed, that work will be very difficult.

I apologize. I was distracted by a bright pair of white running shoes and blue jeans here in the Legislative Assembly, which is an unusual event, if I might say. It is not the normal attire to have blue jeans and running shoes on the floor of the House. I wonder if they might just check with the member who is doing that and ask that he become properly attired. I am not mentioning any names. That gentleman there is inappropriately attired.

I just want to indicate that we think these things that are being laid down here as guidelines could be assisted if there were a lot more flexibility and if there was a lot more information made available to the committee.

I have heard the government House leader getting impatient with me. She knows how many things we are concerned about, but she is pressing me to end my remarks.

Let me say just this: If this thing is supposed to work as a real mechanism for reviewing the appointments, then I hope the government will make sure that this committee has the flexibility to add to its own resources for research and that it will get maybe an extended time in the first days of sitting, which I know the next resolution will bring forward, to make sure that it really does work as a committee function.

I also want to say that while this has been left to the very end—and I know the government House leader does not think this is as important, but we had a fairly long conversation one day—

Hon Miss Martel: We never know what you are going to do. That is the problem.

Mr Elston: The government House leader says they never know what we are going to do. I had not been aware of several amendments which were just brought forward or several things that were happening. I am not certain exactly what else is going to happen, but I can tell members that I am aware of what this is designed to do. This motion is designed to try to pass off the government's responsibility for the appointment of people to boards and commissions if they screw up. That is what, in the very vernacular, it is designed to do. I tell members that if they are good appointments, the government will take the credit, and if some problem arises from the appointment, it will say that the committee had its chance and did not make any recommendations.

If the government does not make sure that this works well, and of course the government still has a majority of members on the committee anyway to manage this thing fairly well, I can tell the government if it constrains this

committee from reviewing, in a real way, the material which comes in front of it about people—

[Laughter]

Mr Elston: If that is the effect I have on some people, I am worried about the rest.

This reminds me of some details of other matters which I might want to get into a little bit later, but I do not think I will now.

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All I want to say is that I hope the majority government members on this committee make the process work, because the way the details here are drawn, the restrictions are put in place, it is going to be very difficult. That is all I ask. We will be supporting the notices of motion and the motion made by the member for Carleton, just to indicate our concern that there be a lot of flexibility allowed to the reviews that go on.

With that, I will be finishing my remarks. I hope that the government House leader will have a very happy holiday season and a very good 1991.

Hon Miss Martel: I want to point out to all members the very important fact that we have included also in this motion at the end, which we will not get to with these amendments, that the government intends to sunset the requirements that we are putting forward at this time. What we are trying to do with the process that we are putting before the House is to set in place a process that will start to deal with many of the important appointments that need to go through this committee in very short order; for example, those appointments to the Fair Tax Commission, which the Treasurer would like to get off the ground.

We have said very clearly to both of the other government House leaders that it is the first time we are trying something like this. We want the committee to at least try the process, go through it, and then it will have the chance as well to meet as a committee and make recommendations for changes to the standing order that would make the committee more appropriate and its function more effective.

So we have said very clearly to them that at this point nothing is etched completely in stone. There are some things that we will probably never give on, and I expect both opposition parties will recognize that. But by the same token, there are things and technical matters that the committee will go through as it takes on this process that we will look forward to changes to, and the committee will recommend those changes to this House.

With the matter that is before us, specifically with respect to allowing the particular committee to also look to appointments for deputy ministers, I would say that the committee that is dealing with this matter is a committee that studies agencies, boards and commissions. It is not a committee that deals with ministerial appointments or appointments within this place with respect to our staff or ministerial staff. We have no intention at this point in time of opening that process any further.

If I might, with respect to the other points of information that the opposition parties would like to have prepared and put on file, I can only say that at this point they will be

given a document which will have a great deal of that information, not all of it. I look forward to the committee recommending back to us whether or not it feels more is appropriate or whether or not the information it is provided with does give an adequate profile of the candidate in question and is all it really requires in order to review that candidate.

The Speaker: Is it the pleasure of the House that the amendment carry?

All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion the nays have it.

Motion negatived.

Mr Sterling: Could we try to move things along and get to the next amendment? I would seek unanimous consent here to read the six remaining amendments that I have and to vote in total on those six additional amendments. I would seek unanimous consent for that.

The Speaker: We require unanimous consent. Is it agreed?

Agreed to.

The Speaker: Mr Sterling moves that paragraph 4 of the resolution be deleted and the following substituted therefor:

"4. The intended appointments to be reviewed by the committee shall be selected in one round by the members of the subcommittee on committee business, other than the Chair, representing the party forming the official opposition and the recognized party having the third largest membership in the House such that the member of the party forming the official opposition shall first choose one or more and the member of a recognized party having the third largest membership in the House shall second choose one or more."

Mr Sterling: This amendment excludes the right of the member—

The Speaker: Do you intend to move all of them and then to speak to the package, or do you intend to speak to each one as you introduce them? You want the House to deal with them as a package. Perhaps it would be helpful if you read all of them and then retreat to deal with each one in turn.

Mr Sterling: I will read all the amendments in and then go back. I just thought it might be easier to follow if I—however.

The Speaker: Mr Sterling moves that paragraph 5 of government notice of motion 11 be amended by adding after the word "witness" in the last line of the paragraph the words "and specify any other witnesses to be called before the committee during its consideration of the intended appointments."

Mr Sterling moves that paragraph 10 of government notice of motion 11 be amended by adding thereto the following subparagraph:

"10(1) The committee may ask for and receive a copy of any criminal record of any intended appointee and any such record is to be received and maintained in confidence."

Mr Sterling moves that paragraph 11 of government notice of motion 11 be amended by deleting the number "three" and substituting therefor the number "five."

Mr Sterling moves that government notice of motion 11 be amended by deleting paragraph 12 and substituting the following therefor:

"12. In reviewing an intended appointment the committee has the right to call and subpoena witnesses."

Mr Sterling moves that paragraph 13 of government notice of motion 11 be amended by adding thereto the following subparagraph:

"13(1) In the case where the committee does not concur in an intended appointment the commencement of the appointment shall be postponed for a period of 60 days."

Mr Sterling: This group of amendments basically follows the Legislative Assembly's report on appointments which was drawn up two or three or four years ago. Basically what I have incorporated in these amendments is the summary of that Legislative Assembly report.

It is my feeling that the government, in introducing notice of motion 11, is in fact introducing a whitewash for government appointments. The opportunity for the members of the opposition to really get the people in front of the committee that they want in front of the committee is limited. The opportunity of the committee to get the necessary information to ask the pertinent questions to the intended appointees is limited.

Government motion 11 also limits opposition parties to the same rights as the government has in examining its very own appointees. I do not understand why government motion 11 gives to the government members the opportunity to put their own appointees on the stand, so to speak, to have them examined as to their competence. I assume that with everyone the government makes an intended appointee, it has done its homework and it is satisfied that appointee is suitable for the job. However, under this particular resolution we are going to have government members who, on instructions, no doubt, from cabinet, will be suggesting that appointees whom the government itself has put forward be brought before the committee. Quite frankly, we do not want to waste our time in dealing with stories that are really not going to produce any fruitful benefit.

One of the outstanding problems with this particular motion is that a committee is really toothless to do anything about an appointee who does not meet its satisfaction. All the committee can do is recommend that this particular person not be appointed.

I have suggested in these amendments that the bare minimum a committee must be given in terms of a sanction is the right to postpone that appointment for a period of 60 days. I do not believe that is unreasonable if an all-party committee, especially a committee controlled by the government in a majority Parliament, in fact finds that an appointee is not competent.

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Another part which was left out of this process but which was included in the standing committee on the Legislative Assembly's report on appointments was the

ability of the committee to call other witnesses if it saw fit about a certain appointee. This resolution which the government has brought forward says that members can only call the appointee in front of the committee. It may be very important for the committee members to get other people's opinions about whether a particular intended appointee is or is not suitable for that position.

That is, in summary, where my amendments lie. I thought it was important that we put forward in detailed form our concerns about what we deem to be a real sham in terms of setting up an appointment process. The very least this government could have done is follow the Legislative Assembly report which NDP members of that committee agreed with in total, which all members of the committee agreed with in total, but the last government did not bring forward. I thought this government would at least have the guts to bring forward an appointment process which had some meaning. It will be, therefore, very difficult for us to support notice of motion 11 setting up this committee as it now is if in fact these amendments are not accepted by the government.

Mr Elston: I will not be long. It seems that if I make a couple of comments now on these, then we can probably take the vote on the main motion after dealing with these amendments and no more debate will have to occur.

I agree in some ways with the member for Carleton that there are restrictions on the way this committee is going to be able to perform its duties. I agree that the witness issue is a major problem and in fact is a very poor example to show if you are trying to get close to what is seen in the US, where they review in various committees the appointments of people to sit on the judges' panels and other things. This is nowhere close to that, where people come in and can actually be grilled if necessary, where an appointment is an unpopular one or where the onerous duties about to be taken on are extremely important to the administration of some of the cases that are most renowned from US justice. Here the appointments are no less important and no less critical to the wellbeing of the people. To restrict the number of witnesses solely to the person who is to be appointed I think is a real mistake.

I just want to underline again a concern I have about the number of appointments that will have to be made at particular times. For instance, right now—this is a very real thing for me, from the riding of Bruce, and one reason I am really concerned about how this committee is going to be structured. We have at least two police commissions in my riding, one in Kincardine and one in Port Elgin. The appointments of commissioners for their own police commissions have been held up since the election. That is totally understandable, totally reasonable, but I can believe that those commissions, which are now non-functioning, providing no direction—in fact, the former members whose times have expired have been told to make sure they do not go anywhere close to anything that looks like a meeting, so there is no way at all that those commissions can work, provide the direction they are required to provide to the Kincardine and Port Elgin police commissions. That is a problem.

What is going to happen if there are two in my riding of Bruce—and there may be more I have not yet heard about—and there are a number right across the province? There will be a veritable flood when finally the administration is able to make the appointments to all the commissions around the province; those are but the very beginning. So while I implore the Solicitor General and his staff to get on with clearing the appointees to the Kincardine and Port Elgin police commissions, I also implore the government members to allow us to do our work in the early going, because they will have a lot of new appointments flooding out at some stage. It takes a while to get the process worked up to clear appointees and then make them and draft the orders in council and get the Premier's office functioning, then get them into cabinet. Members will have those nice books with a great big sheet of things and people will get there and ask, "Who cleared this person for the appointment?" I know it is a very onerous thing, but I hope they are going to be very flexible in the early going as they get a whole series of backlogged appointments out of the way.

As members know, and this will be the last I say, we had made a commitment not to make appointments during the election period, and did not make appointments during the election nor in the period after 6 September up to 1 October unless there was consent of the incoming Premier. That means there is a lot of problems out there associated with boards for which the mandates of some members have expired. I just ask the government members sitting on the committee that with regard to the flood of appointments of women and men of, I am sure, great ability but also perhaps many of whom will be of interest to the committee, that they be flexible in allowing the examination of those.

I congratulate the member for Carleton for examining in some detail this motion and taking the time to bring these amendments forward to bring the problem areas to the attention of the members of the House.

With that, a very merry Christmas and a happy new year to you too, Mr Speaker.

Hon Miss Martel: I appreciate that the members in opposition have made their points to me about this and I appreciate what they have to say. I am hoping, as the committee goes through the process and the members deal with the new process we are advocating at this time, that changes can be made which will make the process more effective and that everyone will find some satisfaction with that. I must say, as I said earlier, that at this point there are some things we cannot agree on with the opposition parties. I have to state those and put them on record.

First, with respect to amendment 4, which would not allow government members to participate in this process, I have to say on behalf of the government that I think that is unfair. I do not think it is appropriate that our own members will not have a choice to make selections for review for appointments. I must say to the member that the backbenchers have every right to participate in this process. He knows and I know that the Premier would suggest people, which would flow through cabinet, and that our own people probably would not have an opportunity to have

input. We think it is very appropriate that in fact they have the right on this committee, as would every other member in this place who wants to sit on that committee, to participate in that process.

I would also say it is the very same process in place for the standing committee on estimates, where the government members do have the chance to participate. They choose last, they rank last, and we have suggested that that can occur in this committee as well, but I do think it is unfair and inappropriate not to allow government members to have some participation in this as well.

Second, with respect to witnesses, I can say that we will not agree to have more than one witness, that is, the candidate himself or herself, come before the committee. Our fear at this time, and we may be proven wrong, is that that may then become a forum not where people seek out pertinent information or get necessary information with respect to the qualifications of the candidate but that it could become a forum for a real assassination of someone's character. We are very fearful that if indeed that is what the process might become, members would not have the most capable people wanting to come forward. In fact, they might deter a great number of people who would be excellent candidates from coming forward, because they would not want to put themselves or their credibility on that kind of line. So we will not be agreeing with that particular amendment.

Third, with respect to the request by the opposition that the committee may ask for and receive a copy of any criminal record of any intended appointee, we will not agree with this because under the Human Rights Code in this province that is discrimination. No employer in this province can ask that of his employee or view that. I would consider that when we appoint people to agencies, boards and commissions in this province they are getting paid a wage or a salary or some kind of remuneration, so in that broad sense there is employment there. I do not think it is fair that the government, or the committee for that matter, could ask that it be able to see criminal records if those applicants do have one. We will not be agreeing to that.

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Two more: There was a request to change the number of hours necessary to have the committee review the appointments and review particular candidates. The amendment moved by the third party was with respect to not allowing government members to have their ranking as well. It is our concern, as I already mentioned, that government members should be able to make choices about this committee and make choices about the candidates they want to be reviewed. In that sense, the time for review of all these candidates would be quite lengthy, but if we move to the five hours suggested by the third party, we would require at least six hours in every sitting of that committee in order to deal with the business. Members of the Legislature should know that we have allotted one hour before the committee sits to review new candidates to make recommendations or review the candidates who came the week before. When the House is sitting, we cannot physically

block that kind of time, so we cannot agree to that number of hours.

Finally, with respect to the request that where the committee does not intend to recommend an appointment that appointment be postponed for 60 days, I remind people of the process that will be in place under this committee. First, the committee has up to 30 days to decide if it wants to review or not review candidates put forward by the Lieutenant Governor or the Premier. Second, they have yet another 30 days in order to review the candidate and report to the House whether they recommend this candidate. So we have two months from the time the Premier or Lieutenant Governor makes the recommendation to the time that might be seen and actually acted upon by the committee.

It seems to us to make no sense that if the recommendation comes back, and the Premier and cabinet do not agree with the recommendation from the committee, we should delay yet another 60 days before being able to fill that position. I would remind members that we have quite a backlog at this time, but even if there were not a backlog there are many positions that just could not wait for up to four months before decisions were made. It seems to me that if the Premier and cabinet do not agree and are going to proceed with the appointment, then there should be no delay and that should occur.

I point out again that I appreciate the concerns that were raised. They are legitimate concerns, but the government cannot agree with all of them. By the same token, it is my hope that under the amendments which we are moving the committee will have a good basis on which to work for the next six months, and after going through the process will be able to make recommendations that will make the process more effective and give all the members a sense that they have a fair opportunity to participate in it.

The Speaker: The House agreed to entertain a package of six amendments and deal with them as a package. Is it agreed that we shall vote on them as a package?

Agreed to.

The Speaker: Shall the amendments carry?

All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion the ayes have it.

Interjections.

The Speaker: Are members prepared to vote on the motion?

Hon Miss Martel: If I might just provide this explanation. I am not sure if resolution 12 is going to be voted on in favour or not, so perhaps we should proceed. I just assumed automatically that we would be voting against it, and I would have stacked that vote as well. My apologies. I will wait to hear what they have to say.

The Speaker: I think we are on resolution 11, as amended. I am just checking to make sure that everyone has had an opportunity to participate. There are no more amendments and no more debate.

Shall resolution 11, as amended, carry?

All those in favour will please say "aye."

Mr Elston: As amended; you accepted the amendments.

Hon Miss Martel: Sorry.

The Speaker: I realize we have been here for a little while. Some of us are getting tired. We dealt with three amendments earlier, which were agreed to. We then dealt with six amendments which were not carried. We are now faced with the question of whether resolution 11, as amended, will carry.

All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion the ayes have it.

Vote stacked.

STANDING COMMITTEE ON GOVERNMENT AGENCIES

Miss Martel moved resolution 12:

That, notwithstanding standing order 104(i), the standing committee on government agencies is authorized to consider how the standing orders might be amended to permit it to best perform the task of reviewing the appointment of persons to agencies, boards and commissions and of directors to corporations in which the crown in right of Ontario is a majority shareholder and the committee shall report to the House its recommendations on or before 16 May 1991.

Motion agreed to.

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COMMITTEE SITTINGS

The House divided on Mr Eves's amendment to resolution 13, which was negatived on the following vote:

Ayes—18

Beer, Carr, Cousens, Cunningham, Elston, Eves, Harnick, Mahoney, Marland, Murdoch, B., Phillips, G., Poirier, Scott, Sola, Sterling, Sullivan, Tilson, Turnbull.

Nays—53

Abel, Allen, Boyd, Buchanan, Charlton, Christopher-son, Churley, Cooper, Coppen, Drainville, Duignan, Ferguson, Fletcher, Frankford, Gigantes, Grier, Haeck, Hansen, Haslam, Hayes, Hope, Huget, Jamison, Johnson, Klopp, Lankin, Lessard, MacKinnon, Mackenzie, Malkowski, Mammoliti, Marchese, Martel, Mathysen, Mills, Morrow, O'Connor, Owens, Perruzza, Philip, E., Pilkey, Silipo, Ward, B., Ward, M., Waters, Wessinger, White, Wildman, Wilson, F., Wilson, G., Winninger, Wiseman, Ziemba.

The House divided on Miss Martel's motion of resolution 13, which was agreed to on the same vote reversed.

STANDING COMMITTEE ON GOVERNMENT AGENCIES

The House divided on Miss Martel's motion of resolution 11, as amended, which was agreed to on the following vote:

Ayes—61

Abel, Allen, Beer, Boyd, Buchanan, Charlton, Christopherson, Churley, Cooper, Coppen, Drainville, Duignan, Elston, Ferguson, Fletcher, Frankford, Gigantes, Grier, Haeck, Hansen, Haslam, Hayes, Hope, Huget, Jamison, Johnson, Klopp, Lankin, Lessard, MacKinnon, Mackenzie, Mahoney, Malkowski, Mammoliti, Marchese, Martel, Mathysen, Mills, Morrow, O'Connor, Owens, Perruzza, Philip, E., Phillips, G., Pilkey, Poirier, Scott, Silipo, Sola, Sullivan, Ward, B., Ward, M., Waters, Wessinger, White, Wildman, Wilson, F., Wilson, G., Winninger, Wiseman, Ziemba.

Nays—10

Carr, Cousens, Cunningham, Eves, Harnick, Marland, Murdoch, B., Sterling, Tilson, Turnbull.

2020

INTERIM SUPPLY

Resuming the adjourned debate on the motion for interim supply for the period 1 January 1991 to 30 April 1991.

Mr Mahoney: Here we are together again for the first time. It is indeed my pleasure to rise to continue the debate that ended last night on supply, on the government motion, and to address this House on a number of issues that I will try to finish before midnight of the clock, to the best of my ability.

Mr Phillips: No, no, no.

Mr Mahoney: No? Do they want me to go longer? Do they want to come back tomorrow? They would like to get on question period tomorrow.

This is kind of a sad day in the life of this Legislature and indeed in the early life of this government, because it is a day when the halo has fallen off. The difficulties we were talking about before, about when these folks go back to their ridings and the difficulties they are going to have explaining the policies, or the lack of policies, of the government are now going to be compounded because when they go back to York East and other environs, they will find that they now have difficulty explaining the actions of a couple of their cabinet ministers to people who are going to wonder why these meetings were being held and this information on a cabinet decision was being shared with certain privileged few.

Interjections.

Hon Miss Martel: I can't hear you any more.

Mr Mahoney: The member for Sudbury East should keep them down, that is right, because if they heckle me too much I could go all night. I just might not know when to stop if the member for Yorkview gets too excited over there.

They are going to have some difficulty explaining all of this. Never mind the ministers involved and the Premier, who had a tough battle—they have some difficulties explaining it—but at least they are explaining their own actions.

An hon member: Stonewalling.

Mr Mahoney: They are stonewalling, absolutely.

What they have to do—I could see it during question period today. I could see them sitting there wondering, "Holy smokes, we're in for it now."

Ms Churley: That's fine.

Mr Mahoney: It is fine? She thinks it is fine? I do not know—has everyone met the member for Mississauga South? Merry Christmas. The member has not done her Christmas shopping. What is she going to buy me? If she sits down, she will probably allow me to get through this a little quicker and we can get out of here by 11:30. If she does not, it is going the full distance; that is all. In all seriousness, the member for Mississauga South will shop till she drops. The members can take my word on it. When she gets out there with that plastic going, Ken is at home. The member for Mississauga South actually had her credit cards stolen, but her husband has not reported it because the thief is spending less than she was.

Interjection.

Mr Mahoney: She should know not to interfere like that. What can I say?

Good to see the member for Durham East. I cannot believe it. There are socialists coming from everywhere around here. You just have to watch your back. I hope I am being guarded up there by the member for Mississauga East.

Just to prove that I am really a kinder and gentler person, which I know is the desire of the Premier, the cabinet and all members—all the best to the member for Durham East. Would he get out of here? I am busy. Look at this guy. Cureatz would never do this. Sit over there. Go.

Mr Scott: What is wrong with him? He's not a bad guy.

Mr Mahoney: What is wrong with him? No, he is not a bad guy. The member for—where is he from?—Durham Centre. No, he is not Durham Centre, Durham East. Durham Centre is the member from Drummond White; that is the member.

Mrs Marland: Barbara has not even finished her cards and you're talking.

Mr Mahoney: Well, she has to finish her cards, so that is why I cannot stop.

Just to prove that I am a member and a kinder, gentler person, I would like to pay a certain tribute to the whip of the NDP, the member for Niagara South.

[Applause]

Mr Mahoney: They can give her a standing O. Go ahead. And to the House leader.

[Applause]

Mr Mahoney: Go ahead. To the House leader, the member for Sudbury East, who was made House leader and Minister of Northern Development. The whip of the Conservatives, the member for London North, and the member for Parry Sound have also been very co-operative—a little bit obstreperous at times, but a great pleasure for me and for my House leader to work with. As I said—no, that is not certainly up to me, Mr Speaker. I will leave that for the history books to judge.

Just to show, as I said, that I am a kinder, gentler person, I have a couple of gifts. The first one is a plastic bag. We have about 76 of them, because they are going to need them when you go back to their ridings and try to explain what has been going on around here, and particularly what happened today. So we have those in our caucus room, rather large, attractive, I think, plastic bags for all members of the caucus, I say to the whip and government House leader.

On a bit of a serious note, I have a lovely basket here that happens to be from my wife's store, as a matter of fact. The name is Tea Masters in the Erin Mills town centre. If anyone wants to buy such an item, it could be available.

Hon Mrs Gigantes: How much? Boy, that's class.

Mr Mahoney: For her? Anyway, this is a gift for the House leader and one for the whip, which our House leader is going to take across, in appreciation of their co-operation.

Mr Scott: Kiss, kiss.

Mr Mahoney: I give the presents and he gets the kisses. What is this?

Mr Scott: This is life.

Mr Mahoney: This is life, life in opposition when he is the House leader.

Mrs Marland: And the present for Mississauga South?

Mr Mahoney: Does she want me to get some more of these?

I pay tribute to those two honourable members because coming in new to the job, particularly in the case of the House leader but also in the case of the whip, new to government, with a tremendous amount of pressure upon them to put up with some of the nonsense that goes on here—and I am sure there, particularly in caucus and in meetings—I think they have done a remarkable job of surviving. I note the name of the New Democratic Party this evening is the survival party and I think it is extremely appropriate. Colin Vaughan said that the reason they will survive is because this place does not sit beyond today.

In all sincerity, on behalf of my House leader, our leader and our caucus, I want to wish all members of the Legislature in all parties a very happy Christmas, a good rest, a successful 1991. This place may be kinder and gentler, I am not sure, but we will be back here looking forward to taking on the many issues with the government on behalf of the people of Ontario whom we represent and indeed the entire population of Ontario.

2030

Mr Eves: Mr Speaker, I am not going to speak to the motion on interim supply. I may as well let you know that right off the bat. I would be very remiss if I did not, on behalf of our caucus, extend our very sincere remarks to every single member of the Ontario Legislature. I do not think it matters what political stripe members are wearing when they come to this place. I think everybody would agree that each one of the 130 of us

comes here with one motive in mind and one motive only, and that is to try to not only help our constituents but to try to make the province of Ontario indeed just a little bit better place in which to live.

Hon Ms Lankin: I have the pleasure to wrap up this debate on the motion for interim supply on behalf of the Treasurer, who is in Ottawa meeting with the provincial and federal finance ministers. I want to say that in keeping with the spirit that has been set by the tone of the two previous speakers and the spirit of this time of the season, I will not take long with my remarks.

I will reflect on the fact that this has been an incredible experience. Let me speak personally but I think on behalf of all of us on this side of the House, and I am sure those members in the opposition seats who come to this place for the first time. What an incredible learning experience. What a challenge. What a pleasure. What pride we all have collectively in being able to serve the people of Ontario, being able to bring forward the vision we have for a better life for the people of Ontario, being able to exchange our views about how we go about achieving that, having honest differences, having honest agreements and in the end coming out with a product that I hope will be respected by the people of Ontario and that will achieve our collective goals.

May I say that on behalf of all the people on the government side we want to bring season's greetings to all members of this House and to all staff of the Legislative Assembly and throughout the Ontario public service who are involved in this joint effort with us to serve the people of Ontario. We thank them. I suggest members opposite get a good rest. I think they have had lots of energy and I am sure they have spent most of it during these last few nights. They should get a good rest. We all will. We will see them in the new year. Happy holidays.

The Speaker: Is it the pleasure of the House that the motion for interim supply carry?

Motion agreed to.

The Speaker: Before calling orders of the day, the Speaker wishes to quite briefly thank all members for your patience, your kindness and your co-operation. You have indeed made my job easier and I truly appreciate it. I, like others, wish everyone a happy holiday time. Have a good rest. All of us are tired; we have worked hard, but I too, like the others, am looking forward to the new year and working again with all of you. Certainly if the spirit of co-operation remains, we indeed will do work that will make us all proud and will serve the people of Ontario.

Hon Miss Martel: Before I move to adjourn the House, might the members indulge me for one moment. I want to say that if I do anything before I get out of here it would be to try to change our current pension plan which allows for maximization at age and combination of service of 55, because I can tell members I will not last that long. I will have 21 years in this place before I can qualify and I do not think I can bear that at this point.

I must say that as the Chairman of Management Board was very personal in her remarks, so am I. It has been a hell of a ride. I just must say that I appreciate the work I have indulged in with respect to the other two House leaders and the whips and my own. It has been a bit trying at times, but I must say that I think we have dealt together as honestly as we possibly can and I think we will work well together in the future. I appreciate their co-operation and their goodwill towards myself and my government as we start out on this very new adventure for us on this side of the House.

Mr Speaker, may I, on behalf of all members at this point, commend you on your work in this place. It has also been a learning experience for you and we will all together work through it, but we do want to wish you and your family all the best during the holiday season.

Might I, on behalf of all the members and the Speaker as well, commend all the legislative staff who have put in many long hours over the last two weeks. We do appreciate it. As well I would join with the Chairman of Management Board in commending the service of all those good people who work on behalf of the government of Ontario.

Finally, very personally, might I wish all of my colleagues on all sides of the House a very merry and safe Christmas and all the best in 1991.

Hon Mrs Coppen: I just want the privilege, Mr Speaker, on behalf of our caucus, of extending the best of the holiday season and co-operation in 1991, and thank you very much for what you did this evening. It is much appreciated.

The House adjourned at 2036.

ALPHABETICAL LIST OF MEMBERS

(130 seats)

First Session, 35th Parliament

Lieutenant Governor: Hon Lincoln M. Alexander, PC, QC

Name of member	Constituency	Party	Other responsibilities
Abel, Donald	Wentworth North	NDP	
Akande, Hon Zanana L.	St Andrew-St Patrick	NDP	Minister of Community and Social Services
Allen, Hon Richard	Hamilton West	NDP	Minister of Colleges and Universities, Minister of Skills Development
Arnott, Ted	Wellington	PC	
Beer, Charles	York North	Lib	
Bisson, Gilles	Cochrane South	NDP	Parliamentary assistant to the Minister of Mines, parliamentary assistant to the Minister of Northern Development
Boyd, Hon Marion	London Centre	NDP	Minister of Education
Bradley, James J.	St Catharines	Lib	
Brown, Michael A.	Algoma-Manitoulin	Lib	
Buchanan, Hon Elmer	Hastings-Peterborough	NDP	Minister of Agriculture and Food
Callahan, Robert V.	Brampton South	Lib	
Caplan, Elinor	Oriole	Lib	
Carr, Gary	Oakville South	PC	
Carter, Hon Jenny	Peterborough	NDP	Minister of Energy
Charlton, Brian A.	Hamilton Mountain	NDP	Parliamentary assistant to the Minister of Energy
Chiarelli, Robert	Ottawa West	Lib	
Christopherson, David	Hamilton Centre	NDP	Parliamentary assistant to the Minister of Economics
Churley, Marilyn	Riverdale	NDP	Parliamentary assistant to the Minister of the Environment
Cleary, John C.	Cornwall	Lib	
Conway, Sean G.	Renfrew North	Lib	
Cooke, Hon David S.	Windsor-Riverside	NDP	Minister of Housing, Minister of Municipal Affairs
Cooper, Mike	Kitchener-Wilmot	NDP	
Coppen, Hon Shirley	Niagara South	NDP	Minister without Portfolio, Chief government whip
Cordiano, Joseph	Lawrence	Lib	
Cousens, W. Donald	Markham	PC	
Cunningham, Dianne E.	London North	PC	Chief whip
Curling, Alvin	Scarborough North	Lib	
Dadamo, George	Windsor-Sandwich	NDP	Parliamentary assistant to the Minister of Transportation
Daigeler, Hans	Nepean	Lib	
Drainville, Dennis	Victoria-Haliburton	NDP	Parliamentary assistant to the Minister of Citizenship
Duignan, Noel	Halton North	NDP	
Elston, Murray J.	Bruce	Lib	House leader
Eves, Ernie L.	Parry Sound	PC	House leader
Farnan, Hon Mike	Cambridge	NDP	Solicitor General, Minister of Correctional Services, minister responsible for the provincial anti-drug strategy
Fawcett, Joan M.	Northumberland	Lib	
Ferguson, Will	Kitchener	NDP	Parliamentary assistant to the Minister of Municipal Affairs
Fletcher, Derek	Guelph	NDP	Parliamentary assistant to the Minister of Consumer and Commercial Relations
Frankford, Robert	Scarborough East	NDP	Parliamentary assistant to the Minister of Health
Gigantes, Hon Evelyn	Ottawa Centre	NDP	Minister of Health
Grandmaître, Bernard	Ottawa East	Lib	
Grier, Hon Ruth A.	Etobicoke-Lakeshore	NDP	Minister of the Environment
Haeck, Christel	St Catharines-Brock	NDP	Parliamentary assistant to the Minister of Colleges and Universities
Hampton, Hon Howard	Rainy River	NDP	Attorney General
Hansen, Ron	Lincoln	NDP	

Name of member	Constituency	Party	Other responsibilities
Harnick, Charles	Willowdale	PC	
Harrington, Margaret H.	Niagara Falls	NDP	Parliamentary assistant to the Minister of Housing
Harris, Michael D.	Nipissing	PC	Leader of the Progressive Conservative Party
Haslam, Karen	Perth	NDP	First Deputy Chair of the Committee of the Whole House
Hayes, Pat	Essex-Kent	NDP	Parliamentary assistant to the Minister of Agriculture and Food
Henderson, D. James	Etobicoke-Humber	Lib	
Hope, Randy R.	Chatham-Kent	NDP	Parliamentary assistant to the Minister of Community and Social Services
Huget, Bob	Sarnia	NDP	
Jackson, Cameron	Burlington South	PC	
Jamison, Norman	Norfolk	NDP	Parliamentary assistant to the Minister of Industry, Trade and Technology
Johnson, Paul R.	Prince Edward-Lennox-South Hastings	NDP	Parliamentary assistant to the Chairman of the Management Board of Cabinet
Jordan, Leo	Lanark-Renfrew	PC	
Klopp, Paul	Huron	NDP	Parliamentary assistant to the Minister of Agriculture and Food
Kormos, Hon Peter	Welland-Thorold	NDP	Minister of Consumer and Commercial Relations, Minister of Financial Institutions
Kwinter, Monte	Wilson Heights	Lib	
Lankin, Hon Frances	Beaches-Woodbine	NDP	Minister of Government Services, Chairman of the Management Board of Cabinet
Laughren, Hon Floyd	Nickel Belt	NDP	Deputy Premier, Treasurer of Ontario and Minister of Economics
Lessard, Wayne	Windsor-Walkerville	NDP	Parliamentary assistant to the Minister of Financial Institutions
MacKenzie, Hon Bob	Hamilton East	NDP	Minister of Labour
MacKinnon, Ellen	Lambton	NDP	
Mahoney, Steven W.	Mississauga West	Lib	Chief whip
Malkowski, Gary	York East	NDP	Parliamentary assistant to the Minister of Citizenship
Mammoliti, George	Yorkview	NDP	Parliamentary assistant to the minister responsible for the provincial anti-drug strategy
Mancini, Remo	Essex South	Lib	
Marchese, Hon Rosario	Fort York	NDP	Minister of Culture and Communications
Marland, Margaret	Mississauga South	PC	
Martel, Hon Shelley	Sudbury East	NDP	Minister of Northern Development, government House leader
Martin, Tony	Sault Ste Marie	NDP	Parliamentary assistant to the Minister of Education
Mathysen, Irene	Middlesex	NDP	
McClelland, Carman	Brampton North	Lib	
McGuinty, Dalton	Ottawa South	Lib	
McLean, Allan K.	Simcoe East	PC	
McLeod, Lyn	Fort William	Lib	
Miclash, Frank	Kenora	Lib	
Mills, Gordon	Durham East	NDP	
Morin, Gilles E.	Carleton East	Lib	Parliamentary assistant to the Solicitor General
Morrow, Mark	Wentworth East	NDP	Deputy Speaker, Chair of the Committee of the Whole House
Murdoch, Bill	Grey	PC	
Murdock, Sharon	Sudbury	NDP	
Nixon, Robert F.	Brant-Haldimand	Lib	Parliamentary assistant to the Minister of Labour
North, Hon Peter	Elgin	NDP	Leader of the Official Opposition
O'Connor, Lawrence	Durham-York	NDP	Minister of Tourism and Recreation
Offer, Steven	Mississauga North	Lib	Parliamentary assistant to the Minister of the Environment
O'Neil, Hugh P.	Quinte	Lib	
O'Neill, Yvonne	Ottawa Rideau	Lib	
Owens, Stephen	Scarborough Centre	NDP	
Perruzza, Anthony	Downsview	NDP	
Philip, Hon Ed	Etobicoke-Rexdale	NDP	Parliamentary assistant to the Minister of Revenue
			Minister of Transportation

Name of member	Constituency	Party	Other responsibilities
Phillips, Gerry	Scarborough-Agincourt	Lib	
Pilkey, Hon Allan	Oshawa	NDP	Minister of Industry, Trade and Technology
Poirier, Jean	Prescott and Russell	Lib	
Poole, Dianne	Eglinton	Lib	
Pouliot, Hon Gilles	Lake Nipigon	NDP	Minister of Mines, minister responsible for francophone affairs
Rae, Hon Bob	York South	NDP	Premier, Minister of Intergovernmental Affairs
Ramsay, David	Timiskaming	Lib	
Rizzo, Tony	Oakwood	Ind	
Runciman, Robert W.	Leeds-Grenville	PC	
Ruprecht, Tony	Parkdale	Lib	
Scott, Ian G.	St George-St David	Lib	
Silipo, Tony	Dovercourt	NDP	
Sola, John	Mississauga East	Lib	
Sorbara, Gregory S.	York Centre	Lib	
Sterling, Norman W.	Carleton	PC	
Stockwell, Chris	Etobicoke West	PC	
Sullivan, Barbara	Halton Centre	Lib	
Sutherland, Kimble	Oxford	NDP	
Swarbrick, Hon Anne	Scarborough West	NDP	Minister without Portfolio responsible for women's issues
Tilson, David	Dufferin-Peel	PC	
Turnbull, David	York Mills	PC	
Villeneuve, Noble	Stormont, Dundas and Glengarry	PC	Second Deputy Chair of the Committee of the Whole House
Ward, Brad	Brantford	NDP	Parliamentary assistant to the Minister of Skills Development
Ward, Margery	Don Mills	NDP	Parliamentary assistant to the Minister of Government Services
Wark-Martyn, Hon Shelley	Port Arthur	NDP	Minister of Revenue
Warner, Hon David	Scarborough-Ellesmere	NDP	Speaker
Waters, Daniel	Muskoka-Georgian Bay	NDP	Parliamentary assistant to the Minister of Tourism and Recreation
Wessenger, Paul	Simcoe Centre	NDP	Parliamentary assistant to the Attorney General
White, Drummond	Durham Centre	NDP	
Wildman, Hon Bud	Algoma	NDP	Minister of Natural Resources, minister responsible for native affairs
Wilson, Fred	Frontenac-Addington	NDP	Parliamentary assistant to the Minister of Correctional Services
Wilson, Gary	Kingston and The Islands	NDP	Parliamentary assistant to the Minister of Culture and Communications
Wilson, Jim	Simcoe West	PC	
Wininger, David	London South	NDP	Parliamentary assistant to the minister responsible for native affairs
Wiseman, Jim	Durham West	NDP	
Witmer, Elizabeth	Waterloo North	PC	
Wood, Len	Cochrane North	NDP	Parliamentary assistant to the Minister of Natural Resources
Ziemba, Hon Elaine	High Park-Swansea	NDP	Minister of Citizenship, minister responsible for disabled persons, minister responsible for the Ontario Human Rights Commission, minister responsible for race relations, minister responsible for senior citizens' affairs

COMMITTEES OF THE LEGISLATIVE ASSEMBLY

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Administration of Justice

Chair: Drummond White

Vice-chair: Mark Morrow

Members: Gary Carr, Robert Chiarelli, Derek Fletcher, Charles Harnick, Irene Mathysen, Gordon Mills, Jean Poirier, Gregory S. Sorbara, Fred Wilson, David Winninger

Clerk: Lisa Freedman

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Clerk: Tannis Manikel

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Vice-chair: Lawrence O'Connor

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Clerk: Todd Decker

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Vice-chair: Daniel Waters

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Clerk: Harold Brown

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Chair: Elinor Caplan

Vice-chair: Joseph Cordiano

Members: Charles Beer, Christel Haeck, Randy R. Hope, Gary Malkowski, Tony Martin, Lyn McLeod, Stephen Owens, Tony Silipo, Jim Wilson, Elizabeth Witmer

Clerk: Lynn Mellor

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